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RECORDS OF THE UNITED STATES

NUERNBERG WAR CRIMES TRIALS

UNITED STATES OF AMERICA v. CARL KRAUCH ET AL. (CASE VI)

AUGUST 14, 1947-JULY 30, 1948

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Defense Document Books

Gajewski, 1-5 Supplement

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THE NATIONAL ARCHIVES
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INTRODUCTION

On the 113 rolls of this microfilm publication are reproduced the records of Case VI, *United States of America v. Carl Krauch et al.* (I. G. Farben Case), 1 of the 12 trials of war criminals conducted by the U.S. Government from 1946 to 1949 at Nuernberg subsequent to the International Military Tribunal (IMT) held in the same city. These records consist of German- and English-language versions of official transcripts of court proceedings, prosecution and defense briefs and statements, and defendants' final pleas as well as prosecution and defense exhibits and document books in one language or the other. Also included are minute books, the official court file, order and judgment books, clemency petitions, and finding aids to the documents.

The transcripts of this trial, assembled in 2 sets of 43 bound volumes (1 set in German and 1 in English), are the recorded daily trial proceedings. Prosecution statements and briefs are also in both languages but unbound, as are the final pleas of the defendants delivered by counsel or defendants and submitted by the attorneys to the court. Unbound prosecution exhibits, numbered 1-2270 and 2300-2354, are essentially those documents from various Nuernberg record series, particularly the NI (Nuernberg Industrialist) Series, and other sources offered in evidence by the prosecution in this case. Defense exhibits, also unbound, are predominantly affidavits by various persons. They are arranged by name of defendant and thereunder numerically, along with two groups of exhibits submitted in the general interest of all defendants. Both prosecution and defense document books consist of full or partial translations of exhibits into English. Loosely bound in folders, they provide an indication of the order in which the exhibits were presented before the tribunal.

Minute books, in two bound volumes, summarize the transcripts. The official court file, in nine bound volumes, includes the progress docket, the indictment, and amended indictment and the service thereof; applications for and appointments of defense counsel and defense witnesses and prosecution comments thereto; defendants' application for documents; motions and reports; uniform rules of procedures; and appendixes. The order and judgment books, in two bound volumes, represent the signed orders, judgments, and opinions of the tribunal as well as sentences and commitment papers. Defendants' clemency petitions, in three bound volumes, were directed to the military governor, the Judge Advocate General, and the U.S. District Court for the District of Columbia. The finding aids summarize transcripts, exhibits, and the official court file.

Case VI was heard by U.S. Military Tribunal VI from August 14, 1947, to July 30, 1948. Along with records of other Nuernberg

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and Far East war crimes trials, the records of this case are part of the National Archives Collection of World War II War Crimes Records, Record Group 238.

The I. G. Farben Case was 1 of 12 separate proceedings held before several U.S. Military Tribunals at Nuernberg in the U.S. Zone of Occupation in Germany against officials or citizens of the Third Reich, as follows:

<u>Case No.</u>	<u>United States v.</u>	<u>Popular Name</u>	<u>No. of Defendants</u>
1	<i>Karl Brandt et al.</i>	Medical Case	23
2	<i>Erhard Milch</i>	Milch Case (Luftwaffe)	1
3	<i>Josef Altstoetter et al.</i>	Justice Case	16
4	<i>Oswald Pohl et al.</i>	Pohl Case (SS)	18
5	<i>Friedrich Flick et al.</i>	Flick Case (Industrialist)	6
6	<i>Carl Krauch et al.</i>	I. G. Farben Case (Industrialist)	24
7	<i>Wilhelm List et al.</i>	Hostage Case	12
8	<i>Ulrich Greifelt et al.</i>	RuSHA Case (SS)	14
9	<i>Otto Ohlendorf et al.</i>	Einsatzgruppen Case (SS)	24
10	<i>Alfried Krupp et al.</i>	Krupp Case (Industrialist)	12
11	<i>Ernst von Weissaecker et al.</i>	Ministries Case	21
12	<i>Wilhelm von Leeb et al.</i>	High Command Case	14

Authority for the proceedings of the IMT against the major Nazi war criminals derived from the Declaration on German Atrocities (Moscow Declaration) released November 1, 1943; Executive Order 9547 of May 2, 1945; the London Agreement of August 8, 1945; the Berlin Protocol of October 6, 1945; and the IMT Charter.

Authority for the 12 subsequent cases stemmed mainly from Control Council Law 10 of December 20, 1945, and was reinforced by Executive Order 9679 of January 16, 1946; U.S. Military Government Ordinances 7 and 11 of October 18, 1946, and February 17, 1947, respectively; and U.S. Forces, European Theater General Order 301 of October 24, 1946. Procedures applied by U.S. Military Tribunals in the subsequent proceedings were patterned after those of the IMT and further developed in the 12 cases, which required over 1,200 days of court sessions and generated more than 330,000 transcript pages.

Formation of the I. G. Farben Combine was a stage in the evolution of the German chemical industry, which for many years led the world in the development, production, and marketing of organic dyestuffs, pharmaceuticals, and synthetic chemicals. To control the excesses of competition, six of the largest chemical firms, including the Badische Anilin & Soda Fabrik, combined to form the Interessengemeinschaft (Combine of Interests, or Trust) of the German Dyestuffs Industry in 1904 and agreed to pool technological and financial resources and markets. The two remaining chemical firms of note entered the combine in 1916. In 1925 the Badische Anilin & Soda Fabrik, largest of the firms and already the majority shareholder in two of the other seven companies, led in reorganizing the industry to meet the changed circumstances of competition in the post-World War markets by changing its name to the I. G. Farbenindustrie Aktiengesellschaft, moving its home office from Ludwigshafen to Frankfurt, and merging with the remaining five firms.

Farben maintained its influence over both the domestic and foreign markets for chemical products. In the first instance the German explosives industry, dependent on Farben for synthetically produced nitrates, soon became subsidiaries of Farben. Of particular interest to the prosecution in this case were the various agreements Farben made with American companies for the exchange of information and patents and the licensing of chemical discoveries for foreign production. Among the trading companies organized to facilitate these agreements was the General Anilin and Film Corp., which specialized in photographic processes. The prosecution charged that Farben used these connections to retard the "Arsenal of Democracy" by passing on information received to the German Government and providing nothing in return, contrary to the spirit and letter of the agreements.

Farben was governed by an Aufsichtsrat (Supervisory Board of Directors) and a Vorstand (Managing Board of Directors). The Aufsichtsrat, responsible for the general direction of the firm, was chaired by defendant Krauch from 1940. The Vorstand actually controlled the day-to-day business and operations of Farben. Defendant Schmitz became chairman of the Vorstand in 1935, and 18 of the other 22 original defendants were members of the Vorstand and its component committees.

Transcripts of the I. G. Farben Case include the indictment of the following 24 persons:

Otto Ambros: Member of the Vorstand of Farben; Chief of Chemical Warfare Committee of the Ministry of Armaments and War Production; production chief for Buna and poison gas; manager of Auschwitz, Schkopau, Ludwigshafen, Oppau, Gendorf, Dyhernfurth, and Falkenhagen plants; and Wehrwirtschaftsfuehrer.

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Max Brueggemann: Member and Secretary of the Vorstand of Farben; member of the legal committee; Deputy Plant Leader of the Leverkusen Plant; Deputy Chief of the Sales Combine for Pharmaceuticals; and director of the legal, patent, and personnel departments of the Works Combine, Lower Rhine.

Ernst Buergin: Member of the Vorstand of Farben; Chief of Works Combine, Central Germany; Plant Leader at the Bitterfeld and Wolfen-Farben plants; and production chief for light metals, dyestuffs, organic intermediates, plastics, and nitrogen at these plants.

Heinrich Buetefisch: Member of the Vorstand of Farben; manager of Leuna plants; production chief for gasoline, methanol, and chlorine electrolysis production at Auschwitz and Moosbierbaum; Wehrwirtschaftsfuehrer; member of the Himmler Freundeskreis (circle of friends of Himmler); and SS Obersturmbannfuehrer (Lieutenant Colonel).

Walter Duerrfeld: Director and construction manager of the Auschwitz plant of Farben, director and construction manager of the Monowitz Concentration Camp, and Chief Engineer at the Leuna plant.

Fritz Gajewski: Member of the Central Committee of the Vorstand of Farben, Chief of Sparte III (Division III) in charge of production of photographic materials and artificial fibers, manager of "Agfa" plants, and Wehrwirtschaftsfuehrer.

Heinrich Gattineau: Chief of the Political-Economic Policy Department, "WIPO," of Farben's Berlin N.W. 7 office; member of Southeast Europe Committee; and director of A.G. Dynamit Nobel, Pressburg, Czechoslovakia.

Paul Haeffliger: Member of the Vorstand of Farben; member of the Commercial Committee; and Chief, Metals Departments, Sales Combine for Chemicals.

Erich von der Heyde: Member of the Political-Economic Policy Department of Farben's Berlin N.W. 7 office, Deputy to the Chief of Intelligence Agents, SS Hauptsturmfuehrer, and member of the WI-RUE-AMT (Military Economics and Armaments Office) of the Oberkommando der Wehrmacht (OKW) (High Command of the Armed Forces).

Heinrich Hoerlein: Member of the Central Committee of the Vorstand of Farben; chief of chemical research and development of vaccines, sera, pharmaceuticals, and poison gas; and manager of the Elberfeld Plant.

Max Ilgner: Member of the Vorstand of Farben; Chief of Farben's Berlin N.W. 7 office directing intelligence, espionage, and propaganda activities; member of the Commercial Committee; and Wehrwirtschaftsfuehrer.

Friedrich Jaehne: Member of the Vorstand of Farben; chief engineer in charge of construction and physical plant development; Chairman of the Engineering Committee; and Deputy Chief, Works Combine, Main Valley.

August von Knieriem: Member of the Central Committee of the Vorstand of Farben; Chief Counsel of Farben; and Chairman, Legal and Patent Committees.

Carl Krauch: Chairman of the Aufsichtsrat of Farben and Generalbevollmaechtigter fuer Sonderfragen der Chemischen Erzeugung (General Plenipotentiary for Special Questions of Chemical Production) on Goering's staff in the Office of the 4-Year Plan.

Hans Kuehne: Member of the Vorstand of Farben; Chief of the Works Combine, Lower Rhine; Plant Leader at Leverkusen, Elberfeld, Uerdingen, and Dormagen plants; production chief for inorganics, organic intermediates, dyestuffs, and pharmaceuticals at these plants; and Chief of the Inorganics Committee.

Hans Kugler: Member of the Commercial Committee of Farben; Chief of the Sales Department Dyestuffs for Hungary, Rumania, Yugoslavia, Greece, Bulgaria, Turkey, Czechoslovakia, and Austria; and Public Commissar for the Falkenau and Aussig plants in Czechoslovakia.

Carl Lautenschlaeger: Member of the Vorstand of Farben; Chief of Works Combine, Main Valley; Plant Leader at the Hoechst, Griesheim, Mainkur, Gersthofen, Offenbach, Eystrup, Marburg, and Neuhausen plants; and production chief for nitrogen, inorganics, organic intermediates, solvents and plastics, dyestuffs, and pharmaceuticals at these plants.

Wilhelm Mann: Member of the Vorstand of Farben, member of the Commercial Committee, Chief of the Sales Combine for Pharmaceuticals, and member of the SA.

Fritz ter Meer: Member of the Central Committee of the Vorstand of Farben; Chief of the Technical Committee of the Vorstand that planned and directed all of Farben's production; Chief of Sparte II in charge of production of Buna, poison gas, dyestuffs, chemicals, metals, and pharmaceuticals; and Wehrwirtschaftsfuehrer.

Heinrich Oster: Member of the Vorstand of Farben, member of the Commercial Committee, and manager of the Nitrogen Syndicate.

Hermann Schmitz: Chairman of the Vorstand of Farben, member of the Reichstag, and Director of the Bank of International Settlements.

Christian Schneider: Member of the Central Committee of the Vorstand of Farben; Chief of Sparte I in charge of production of nitrogen, gasoline, diesel and lubricating oils, methanol, and organic chemicals; Chief of Central Personnel Department, directing the treatment of labor at Farben plants; Wehrwirtschaftsfuehrer; Hauptabwehrbeauftragter (Chief of Intelligence Agents); Hauptbetriebsfuehrer (Chief of Plant Leaders); and supporting member of the Schutzstaffeln (SS) of the NSDAP.

Georg von Schnitzler: Member of the Central Committee of the Vorstand of Farben, Chief of the Commercial Committee of the Vorstand that planned and directed Farben's domestic and foreign sales and commercial activities, Wehrwirtschaftsfuehrer (Military Economy Leader), and Hauptsturmfaehrer (Captain) in the Sturmabteilungen (SA) of the Nazi Party (NSDAP).

Carl Wurster: Member of the Vorstand of Farben; Chief of the Works Combine, Upper Rhine; Plant Leader at Ludwigshafen and Oppau plants; production chief for inorganic chemicals; and Wehrwirtschaftsfuehrer.

The prosecution charged these 24 individual staff members of the firm with various crimes, including the planning of aggressive war through an alliance with the Nazi Party and synchronization of Farben's activities with the military planning of the German High Command by participation in the preparation of the 4-Year Plan, directing German economic mobilization for war, and aiding in equipping the Nazi military machines.¹ The defendants also were charged with carrying out espionage and intelligence activities in foreign countries and profiting from these activities. They participated in plunder and spoliation of Austria, Czechoslovakia, Poland, Norway, France, and the Soviet Union as part of a systematic economic exploitation of these countries. The prosecution also charged mass murder and the enslavement of many thousands of persons particularly in Farben plants at the Auschwitz and Monowitz concentration camps and the use of poison gas manufactured by the firm in the extermination

¹ The trial of defendant Brueggemann was discontinued early during the proceedings because he was unable to stand trial on account of ill health.

of millions of men, women, and children. Medical experiments were conducted by Farben on enslaved persons without their consent to test the effects of deadly gases, vaccines, and related products. The defendants were charged, furthermore, with a common plan and conspiracy to commit crimes against the peace, war crimes, and crimes against humanity. Three defendants were accused of membership in a criminal organization, the SS. All of these charges were set forth in an indictment consisting of five counts.

The defense objected to the charges by claiming that regulations were so stringent and far reaching in Nazi Germany that private individuals had to cooperate or face punishment, including death. The defense claimed further that many of the individual documents produced by the prosecution were originally intended as "window dressing" or "howling with the wolves" in order to avoid such punishment.

The tribunal agreed with the defense in its judgment that none of the defendants were guilty of Count I, planning, preparation, initiation, and waging wars of aggression; or Count V, common plans and conspiracy to commit crimes against the peace and humanity and war crimes.

The tribunal also dismissed particulars of Count II concerning plunder and exploitation against Austria and Czechoslovakia. Eight defendants (Schmitz, von Schnitzler, ter Meer, Buergin, Haeffliger, Ilgner, Oster, and Kugler) were found guilty on the remainder of Count II, while 15 were acquitted. On Count III (slavery and mass murder), Ambros, Bueteftisch, Duerrfeld, Krauch, and ter Meer were judged guilty. Schneider, Bueteftisch, and von der Heyde also were charged with Count IV, membership in a criminal organization, but were acquitted.

The tribunal acquitted Gajewski, Gattineau, von der Heyde, Hoerlein, von Knieriem, Kuehne, Lautenschlaeger, Mann, Schneider, and Wurster. The remaining 13 defendants were given prison terms as follows:

<u>Name</u>	<u>Length of Prison Term (years)</u>
Ambros	8
Buergin	2
Bueteftisch	6
Duerrfeld	8
Haeffliger	2
Ilgner	3
Jaehne	1 1/2
Krauch	6
Kugler	1 1/2
Oster	2
Schmitz	4
von Schnitzler	5
ter Meer	7

All defendants were credited with time already spent in custody.

In addition to the indictments, judgments, and sentences, the transcripts also contain the arraignment and plea of each defendant (all pleaded not guilty) and opening statements of both defense and prosecution.

The English-language transcript volumes are arranged numerically, 1-43, and the pagination is continuous, 1-15834 (page 4710 is followed by pages 4710(1)-4710(285)). The German-language transcript volumes are numbered 1a-43a and paginated 1-16224 (14a and 15a are in one volume). The letters at the top of each page indicate morning, afternoon, or evening sessions. The letter "C" designates commission hearings (to save court time and to avoid assembling hundreds of witnesses at Nuernberg, in most of the cases one or more commissions took testimony and received documentary evidence for consideration by the tribunals). Two commission hearings are included in the transcripts: that for February 7, 1948, is on pages 6957-6979 of volume 20 in the English-language transcript, while that for May 7, 1948, is on pages 14775a-14776 of volume 40a in the German-language transcript. In addition, the prosecution made one motion of its own and, with the defense, six joint motions to correct the English-language transcripts. Lists of the types of errors, their location, and the prescribed corrections are in several volumes of the transcripts as follows:

- First Motion of the Prosecution, volume 1
- First Joint Motion, volume 3
- Second Joint Motion, volume 14
- Third Joint Motion, volume 24
- Fourth Joint Motion, volume 29
- Fifth Joint Motion, volume 34
- Sixth Joint Motion, volume 40

The prosecution offered 2,325 prosecution exhibits numbered 1-2270 and 2300-2354. Missing numbers were not assigned due to the difficulties of introducing exhibits before the commission and the tribunal simultaneously. Exhibits 1835-1838 were loaned to an agency of the Department of Justice for use in a separate matter, and apparently No. 1835 was never returned. Exhibits drew on a variety of sources, such as reports and directives as well as affidavits and interrogations of various individuals. Maps and photographs depicting events and places mentioned in the exhibits are among the prosecution resources, as are publications, correspondence, and many other types of records.

The first item in the arrangement of prosecution exhibits is usually a certificate giving the document number, a short description of the exhibits, and a statement on the location of the original document or copy of the exhibit. The certificate is followed by the actual prosecution exhibit (most are photostats,

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but a few are mimeographed articles with an occasional carbon of the original). The few original documents are often affidavits of witnesses or defendants, but also ledgers and correspondence, such as:

<u>Exhibit No.</u>	<u>Doc. No.</u>	<u>Exhibit No.</u>	<u>Doc. No.</u>
322	NI 5140	1558	NI 11411
918	NI 6647	1691	NI 12511
1294	NI 14434	1833	NI 12789
1422	NI 11086	1886	NI 14228
1480	NI 11092	2313	NI 13566
1811	NI 11144		

In rare cases an exhibit is followed by a translation; in others there is no certificate. Several of the exhibits are of poor legibility and a few pages are illegible.

Other than affidavits, the defense exhibits consist of newspaper clippings, reports, personnel records, Reichsgesetzblatt excerpts, photographs, and other items. The 4,257 exhibits for the 23 defendants are arranged by name of defendant and thereunder by exhibit number. Individual exhibits are preceded by a certificate wherever available. Two sets of exhibits for all the defendants are included.

Translations in each of the prosecution document books are preceded by an index listing document numbers, biased descriptions, and page numbers of each translation. These indexes often indicate the order in which the prosecution exhibits were presented in court. Defense document books are similarly arranged. Each book is preceded by an index giving document number, description, and page number for every exhibit. Corresponding exhibit numbers generally are not provided. There are several unindexed supplements to numbered document books. Defense statements, briefs, pleas, and prosecution briefs are arranged alphabetically by defendant's surname. Pagination is consecutive, yet there are many pages where an "a" or "b" is added to the numeral.

At the beginning of roll 1 key documents are filmed from which Tribunal VI derived its jurisdiction: the Moscow Declaration, U.S. Executive Orders 9547 and 9679, the London Agreement, the Berlin Protocol, the IMT Charter, Control Council Law 10, U.S. Military Government Ordinances 7 and 11, and U.S. Forces, European Theater General Order 301. Following these documents of authorization is a list of the names and functions of members of the tribunal and counsels. These are followed by the transcript covers giving such information as name and number of case, volume numbers, language, page numbers, and inclusive dates. They are followed by the minute book, consisting of summaries of the daily proceedings, thus providing an additional finding aid for the transcripts. Exhibits are listed in an index that notes the

type, number, and name of exhibit; corresponding document book, number, and page; a short description of the exhibit; and the date when it was offered in court. The official court file is summarized by the progress docket, which is preceded by a list of witnesses.

Not filmed were records duplicated elsewhere in this microfilm publication, such as prosecution and defense document books in the German language that are largely duplications of the English-language document books.

The records of the I. G. Farben Case are closely related to other microfilmed records in Record Group 238, specifically prosecution exhibits submitted to the IMT, T988; NI (Nuernberg Industrialist) Series, T301; NM (Nuernberg Miscellaneous) Series, M-936; NOKW (Nuernberg Armed Forces High Command) Series, T1119; NG (Nuernberg Government) Series, T1139; NP (Nuernberg Propaganda) Series, M942; WA (undetermined) Series, M946; and records of the Brandt case, M887; the Milch Case, M888; the Altstoetter case, M889; the Pohl Case, M890; the Flick Case, M891; the List case, M893; the Greifelt case, M894; and the Ohlendorf case, M895. In addition, the record of the IMT at Nuernberg has been published in the 42-volume *Trial of the Major War Criminals Before the International Military Tribunal* (Nuernberg, 1947). Excerpts from the subsequent proceedings have been published in 15 volumes as *Trials of War Criminals Before the Nuernberg Military Tribunal Under Control Council Law No. 10* (Washington). The Audiovisual Archives Division of the National Archives and Records Service has custody of motion pictures and photographs of all 13 trials and sound recordings of the IMT proceedings.

Martin K. Williams arranged the records and, in collaboration with John Mendelsohn, wrote this introduction.

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Target 1

Gajewski

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Case 6
Defense

TRIBUNAL VI

CASE VI

DOCUMENT BOOK I

for

Dr. Fritz Gajewski

submitted by the
Defense Counsel

Dr. Ernst Achenbach
Attorney at Law

Long



Index to Document Book I
for Dr. Fritz Gajewski, Case VI

Gajewski No.	Exh. No.	C o n t e n t s	Page
1		<p>Report addressed by Dr. C. Hingst, Gauhauptstellenleiter in the Technical Office, Dessau and/or Halle, dated 26.9.1939 to the Secret State Police, Halle. Among other things, this report states:</p> <p>"... that Dr. Gajewski, in a conversation with the Kreisleiter, had allowed himself expressions of opinion that justified an investigation into their treasonable character ..."</p> <p>"... It accords well with the attitude taken up by Dr. Gajewski that, in his completely liberalistic outlook ... he judges or condemns an action which might be the means of furthering Germany's self-sufficiency in the field of cellulose in a decisive manner ..."</p> <p>"... His resistance to the wishes of the Reichsleitung when the problem of the increased self-supply of textiles began to assume definite proportions is also typical... On this point, I will merely summarize by saying that the whole attitude and outlook of Dr. Gajewski towards efforts for self-sufficiency in the field of textiles disentitle him to any right of criticism and judgment ..."</p> <p>"... That the observations made by Dr. Gajewski to the Kreisleiter were not isolated remarks and to be treated as an isolated case, but were the expression of the inner attitude of Dr. Gajewski and therefore a danger to the present State ..."</p> <p>"... A further opportunity for recognizing the attitude of Dr. Gajewski was accorded on the occasion of a lecture by the Nobel Prize-winner, Professor Dr. Windaus, of Goettingen, on 8 February, 1935. In the speech of thanks, Dr. Gajewski, according to a memorandum of the same day which was given at the time to SD-Hauptsturmfuehrer Dr. Rohn, made statements ... They indicate clearly his belief in a coming 'Fourth Reich'.</p> <p>"... in the discussion concerning the works regulations there were many points proposed by the members of the Confidential Board which were almost all completely rejected by him; these included the non-engagement of non-Aryans ..."</p>	1

Gajewski No.	Exh. No.	C o n t e n t s	Page
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"... Not until he was forced by legal compulsion in May 1938, did Dr. Gajewski, a Party member, fully apply the regulations pertaining to Jews."

"... Dr. Gajewski's fight against all the Party members, who ... worked for the supremacy of the Party, was in accordance with his determination not to comply with the wishes of the Party if these ran counter to his own."

"... All in all, in Dr. Gajewski I see a man who ... is of particular danger to the German economic administration ... That is why, if one refrains from using compulsion in the case of Dr. Gajewski and his followers, a quiet and unobjectionably National Socialist economic administration will be an impossibility while Dr. Gajewski retains his position."

2		Affidavit by Wilhelm Lampe dated 5.5.1947, concerning the origin, i.e. the finding of Dr. Hingst's denunciation.	19
3		Letter dated 30.7.47 from Dr. H. Mark, Director of the Institute for Polymer Research, New York, who from 1932 until the time of his emigration to the U.S.A. in 1938 worked together with Dr. Gajewski, describing the latter's character and political convictions. "... I had a number of discussions with him on the political situation in Germany and Austria between 1933 and 1938 and remember that he always expressed himself strongly for the return of Germany to a democratic government with free elections and for a complete abolishment of any racial or religious discrimination."	23
4		Affidavit dated 24.4.1947 by Dr. Gerhard Ollendorff, until 1932 deputy Vorstand member and chief of the Wolfen Filmfabrik, together with attached letter of 15.6.1939 signed by Dr. Gajewski. The witness, who, as a Jew, was twice arrested, and left Germany in 1939, testified that Dr. Gajewski, in spite of the fact that he himself was spied on	25

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intervened personally on his behalf with the Gestapo and succeeded in getting him released, and gave him valuable help when, in June 1939, he emigrated.

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| 5 | | Affidavit dated 2 June 1947 by Dr. John Eggert, from 1921 to 1945 Chief of the Scientific Central Laboratory of Agfa, and until 1937 Professor at the University of Berlin. The witness, who because he had a Jewish wife, was always the subject of attack, testifies that Dr. Gajewski, true to his character, on several occasions and at the risk of endangering his own position and person, gave help to him and his wife, also to his Jewish colleagues when they were politically persecuted, or when they wished to take up posts with competing firms abroad. Dr. Gajewski rescued him from being drafted for forced labor into the Organization Todt and his wife from deportation to Theresienstadt. | 31 |
| 6 | | Affidavit by Dr. Pablo Federico Luft, former Jewish assistant of Dr. Gajewski, dated 21.5.1947. The witness confirms that when he asked Dr. Gajewski during a private talk he had with him in 1936 whether he thought that he, being a Jew, should marry, Dr. Gajewski replied that he did not think that the National Socialists and especially the anti-semitic tendencies would last very long. The witness likewise testifies to the help which Dr. Gajewski gave him while he was working at Wolfen until 1938 and when he emigrated. | 35 |
| 7 | | Certificate dated 17.1.1947 by Dr. Martin Biltz, former chemist at the Wolfen Works and of Jewish confession. He confirms that Dr. Gajewski refused to dismiss the Jewish employees and only did so when at last pressure from the Government became too strong to resist. | 39 |

Gajewski No.	Exh. No.	C o n t e n t s	Page
8		Affidavit dated 17.5.1947 by Ruth Lincer, wife of the former Jewish chemist at Agfa, Dr. Bincer. The affiant testifies that when in 1935 her husband, being a Jew, was detained in prison for six weeks, Dr. Gajewski, without regard to his own position, intervened so energetically on his behalf that he was finally released; further that Dr. Gajewski made it possible for her husband to get to Vienna and later to escape abroad.	44
9		Attestation signed by a notary dated 23.6.47, made by Dr. Hermann W. Moorlin, formerly employed as a physicist in the Velfen Filmfabrik and who, in order to escape persecution at the hands of the National Socialists, wanted to emigrate to the U.S.A. "Dr. Gajewski was aware of these circumstances and showed much understanding. His active and successful support of my plans was contrary to the established policies of the Nazi regime which opposed emigration of German scientists ...".	47
10		Affidavit dated 11.1.1948 by Dr. Harry Meyer. The witness, who was employed as a chemist for Sparte III and who represented that Sparte in the Vermittlungsstelle W, confirms that in view of the fact that practically none of the products handled by his Sparte came under the category of "armaments", the Vermittlungsstelle W was not of great consequence to this Sparte, and therefore did not pay much heed to the way the Sparte was run. He also states his views on the question of the so-called "Mob Plans" and demands on production (Produktionseuflagen), collaboration with the Wehrmacht, as well as the so-called war games. (Enclosure: letter addressed to Dr. Meyer and the letter's reply.)	48
11		Affidavit by Adalbert Feindt, up to 1945 Director of I.G. Farbenindustrie Agfa, Berlin, now chief of the said organization. The witness reports on the negotiations which took place in November 1940 in Paris between Dr. Gajewski and Kodak/Pathé at the suggestion of the Reich Ministry of Economic Affairs. Dr. Gajewski refused to exert any influence on the Kodak enterprises in Paris and Berlin.	58

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It was because of Dr. Gajewski's intervention with the German authorities in Paris (Kommando-Stellen) that deliveries of coal were resumed to Kodak/Pathé and the factory, which otherwise would have had to be closed, was able to continue working.

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|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 12 | Affidavit dated 5.12.47 by Hans Joerres, until 1942 Welfare Officer for the Works Combines Berlin and Central Germany. The witness confirms that Dr. Gajewski was particularly anxious that foreign workers should be treated decently and should be adequately housed and fed. Again and again he pointed out to his subordinates that it was their duty to see that this was done. He constantly tried to find ways and means of supplementing their rations, improving their clothing and making their billets more comfortable. | 60 |
| 13 | Affidavit dated 6.11.1947 by Dr. Hans Perschmann, appointed Welfare Officer for the Works Combines Berlin and Central Germany in July 1942 as successor to Herr Joerres. The witness testifies that when he reported to Dr. Gajewski on all kinds of welfare problems the conversation was nearly always about ways and means to circumvent National Socialist demands and tendencies. He reports on the opposition put up by Dr. Gajewski to the NSDAI and confirms that he saw in every foreign worker first and foremost a human being, who was entitled to be treated as befits a human being, for whom life in a foreign land should be made as pleasant as possible. The welfare institutions of the factory were all directed towards this end and everything was done for the foreign workers. | 62 |
| 14 | Affidavit dated 16.8.47 by Gustav Adolf von Beck, Chief of the Welfare Department of the Landsberg Works attached to Sparte III from 1942 until the end of the war. The witness confirms that Dr. Gajewski enjoined him to see that, as far as existing circumstances allowed, the foreign workers were fed and taken care of in the best possible manner, regardless of cost. | 67 |

Gajewski No.	Exh. No.	C o n t e n t s	Page
15		Affidavit dated 22.8.1947 by the former Catholic Priest of the parish of Wolfen, Stephanus Huppertz. Among other things the witness confirms that the foreign workers in the Filmfabrik were contented and that they had never complained about the treatment and work in the Filmfabrik. In his opinion, everything was done to see that the foreigners were not worse treated than the Germans. The Filmfabrik also made arrangements for the foreign workers to attend divine service.	70
16		Affidavit dated 3.1.48 by Oskar Hessel. In 1942 the witness made a film in Wolfen to show how the foreign workers lived, how they were housed and what they did in their spare time. In order to make the film the witness lived for some time in the camp with the workers and ate the same food, on two occasions in summer and in winter. He gives a detailed description of the model installations and concludes: ... "They were without exception in good humor. I was much impressed by the success achieved in creating and maintaining an atmosphere of harmony and contentment within the camp. This was obviously due to the great attention which had been given to the various national customs, and which I had had occasion to observe."	75
17		Affidavit dated 25.9.1947 by Adriaan Adolf Schoevers. The witness, who came to Germany to take up work there, was employed at the Filmfabrik Wolfen from 19.7.43 until March 1945. He confirms that to his great relief he found that the treatment meted out to him was humane and gave no cause for complaint, and that he was not an exception. It was due to instructions given personally by Dr. Gajewski that he was able to get back to Holland immediately after the liberation of Amsterdam by the Allied Forces.	80

Gajewski No.	Exh. No.	C o n t e n t s	Page
18		Report dated 11.8.1947 from the Agfa Filmfabrik, Wolfen (Department of the Russian Aktiengesellschaft Photofilm) concerning the employment and treatment of foreign workers. The report gives a lengthy description of conditions and confirms that the foreign workers were allocated to the Filmfabrik by the State through the Labor Offices. The report also shows that, acting upon instructions from the management, everything was done to increase the well-being of the workers in the camps and their zest for working. No cases of the illtreatment of foreign workers were brought to the notice of the management of the firm. Even after the Occupation no special complaints were brought to the notice of the American Commandant.	83
19		Affidavit by Carl Meyer, Assistant Defense Counsel for Dr. Gajewski, concerning the report on the Wolfen Filmfabrik dated 11.8.1947.	95
20		Photocopy of the report on the lodging and feeding of foreign workers in the camps of the Wolfen Filmfabrik, addressed to the Commandant of the American Occupation Forces in Wolfen. The report contains exact figures on the number of beds in the camps and the number of inmates; also an exact statement of the food rations for camp inmates as compared with the rations for German civilians, and a description of the camp catering stores which were still in the camp at the time.	98

CERTIFICATE OF TRANSLATION

26 January 1948

I, Victoria CRTON, ETC No. 20129, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Document Book I for Dr. Fritz Gajewski (Index).

Victoria CRTON
ETC No. 20129

GAJEWSKI No. 1
EXHIBIT No.

Copy.

Dr. G. HINGST

Saalfeld/S., 26 September 1939
Alter Markt 5,
Tel. 2512

Express/Registered

To the
Geheime Staatspolizei (Secret State Police) Halle
For attention of Kriminalrat Franke,

H a l l e a.d. Saale

Police Headquarters (Polizei Praesidium).

Subject: Dr. Gajewski affair

On Monday, the 25th September, 1939, I called on you with the director (Leiter) of the Security Service (SD) Branch Agency Bitterfeld, Party Member Weber, for interrogation in the case of Dr. Gajewski and to express my standpoint. The interview took place in the presence of Regierungsrat Bovensiepen. At the conclusion of the discussion, I was asked to advise you in writing of my attitude on the matter.

I had been informed on my previous visit to Kerasack, District director (Kreisleiter) of the NSDAP Bitterfeld District, that Dr. Gajewski, in a conversation with the director, had allowed himself expressions of opinion that justified an investigation into their treasonable character. One of these expressions concerned the experiments for producing cellulose out of potato plants and culminated in the observation

that the Fuehrer (or his Plenipotentiary for the Four-Year-Plan) was not enough of ^{an} expert to be able to give an opinion on such a thing and it was scandalous that a man like Staatsrat Dr. Schieber should leave them in a state of obscurity as to the

real prospects of this process or its profitability, and thereby to a certain extent deceive them about it.

The reason given by Dr. Gajewski, as stated during the interview, that he considered his position entitled him to criticise and to offer a warning is, in view of his under-mentioned further description, absolutely unacceptable.

So far as I am informed, the idea of making cellulose out of potato plants originated with the Fuehrer himself and it is an act deserving of the highest recognition for Dr. Schieber to have taken up this idea and to have brought all his initiative to bear in order to find a solution to the problem.

More than a year ago already, the Thuringen Gauleiter and Reichsstatthalter, Fritz Sauckel, together with Staatsrat Dr. Schieber, had an interview with the Fuehrer on this matter at Obersalzberg. The preliminary experiments were promising, so that Gauleiter Sauckel was able, on the occasion of the departure of the Thuringen Political Leaders to the Reich Party Day 1938, to present himself for the first time in a suit made out of potato plant. I had the opportunity, at the interview on 25 September, of submitting a copy of the first newspaper made out of potato plant, in which, inter alia, in an article by Gauleiter Sauckel himself, the particular circumstances and the importance of this process were described.

The efficient information organization of the I.G. and the fact that a corresponding announcement of the production of newsprint from potato plant appeared in all the German newspapers, with a reference to the issue of the Thuringen Gau newspaper of 26 August 1939,

warrant the assumption that Dr. Gajewski himself cannot have remained ignorant of the article by the Thuringen Gauleiter. The progress of the production of cellulose from potato plant is therefore not unknown to Dr. Gajewski. His insulting remarks therefore apply not only to the Fuehrer, as originator of the idea, but also to the men entrusted with the technical work, i.e., besides Staatsrat Dr. Schieber, the Reichsstatthalter and Gauleiter Sauckel, also the General Advisor (Generalreferenten) in the Reich Ministry of Economy, President Hans Kehrl.

It is further to be observed, in the matter of producing cellulose from potato plant, that Germany possesses by no means sufficient timber to permit of all cellulose factories being supplied with cellulose from German timber, without permanent injury to the German forests. It is an urgent problem to find one-year-old plants for the production of cellulose and to work out for these a suitable process. In this, Germany is faced with the same necessity as has been recognized by the Duce in Italy. There they have discovered in the warmer districts suitable, strong-growing rushes with which, in the otherwise unfertile Piave lowlands, they are able to cover a large part of the Italian cellulose demand for textile factories.

It accords well with the attitude taken up by Dr. Gajewski that, in his completely liberalistic outlook, he thinks first of the money profits and judges or condemns accordingly an action which might be the means of furthering Germany's self-sufficiency in the field of cellulose in a decisive manner.

It is today a matter of course for a German economic leader to submit economically essential and important problems to examination and to clarify them by experiment, even if the profitability of such processes does not appear assured from the beginning. This attitude, which has been displayed in high measure by Staatsrat Dr. Schieber, has so far been lacking in Dr. Gajewski on every occasion. His resistance to the wishes of the Reichsleitung when the problem of the increased self-supply of textiles began to assume definite proportions is also typical.

His attitude may be seen from the extract of a letter dated 3 June 1938 from Oberingenieur Party Member Klingenberg, Ludwigshafen, to the Ortsgruppenleiter of the NSDAP, Party Member Dr. Lautz, Wolfen, Kreis Bitterfeld. This letter was immediately forwarded by the recipient to Dr. Gajewski. It stated, inter alia:

"... Dr. Gajewski at that time (on the occasion of the proposal of the profit participation of the Little I.G.) adopted the standpoint that the unprofitable Sparte Rayon was not in a position to bear the costs which were to be expected as a result of the approval of the proposal, since the I.G., through the National-Socialist economic leadership, had been forced to invest hundreds of millions of marks in plants which probably one day - namely, on the reversion from self-sufficiency to free economy - would sink to approximately the value which was possessed by gunpowder factories at the end of the World War.

I was at that time obliged to point out to Dr. Gajewski

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that the Nationalsocialist economic leadership deserved more confidence and was able to lay before the I.G. a counter statement which would prove that the Nationalsocialist economic leadership had rescued for the I.G. the much greater values invested by them in hydrogenation plants ... "

I do not wish in this connection to go into closer details concerning the controversy at that time about Gajewski's attitude to the establishment of larger spun rayon factories. In this respect, Staatsrat Dr. Schieber and Oberingenieur Klingenberg, Ludwigshafen, are more competent witnesses. On this point, I will merely summarise by saying that the whole attitude and outlook of Dr. Gajewski towards efforts for self-sufficiency in the field of textiles disentitle him to any right of criticism and judgment.

In the further course of the interview on 25 September, I stated that the observations made by Dr. Gajewski to the Kreisleiter Karasek were not isolated remarks and to be treated as an isolated case, but were the expression of the inner attitude of Dr. Gajewski and therefore a danger to the present State. This attitude of Dr. Gajewski has continued to be expressed in such a manner as to cause him to oppose almost every innovation in the social field, and also very often the wishes and intentions of the Party, or to do only what was absolutely necessary, which, in view of the performance capacity of the I.G., must be regarded as a farce.

Details permitting the recognition of the attitude and activity of Dr. Gajewski in the period before and during the assumption of

power can be better given by Oberingenieur Klingenberg and Staatsrat Schieber than by me. Oberingenieur Klingenberg knows the activities of Dr. Gajewski during the period preceding the assumption of power very well; an old Party member, who knew them even better, Dr. Hans Wolf, died some years ago. He left behind very precise notes which were handed over to Oberingenieur Klingenberg and which, in consequence of a collision of opinion with Dr. Gajewski, he has, according to information received by me, made available to Security Police (SD) Gau Saarpfalz.

Staatsrat Dr. Schieber will be in the position to supplement these with significant incidents from the period shortly before and after the assumption of power.

I personally made closer acquaintance with Dr. Gajewski for the first time on the occasion of the interview which I requested on the subject of unauthorized alterations of contract, which were to be considered as a breach of the tariff. That was on 12 March 1934.

During the period of re-organization, it was ascertained that the works management was using new contracts for newly appointed men, which, in regard to about 12 points, were more unfavorably drafted, including nearly all the points the alteration of which would have been subject to objection even during the period of the severe economic depression. The above-mentioned alterations were, also in the opinion of the Reich agency concerned at that time, to be considered as illegal, as the tariff contracts were not allowed to be altered and the individual agreements had to be regarded as parts of the tariff contract. The conference was conducted in a manner unusual in

form and sharpness. The discussion was continued in a surprising manner in a letter from Dr. Gajewski to me dated 13 March 1934, which, as will be seen by the reply sent on 19 March 1934, was to be regarded as a quite obvious attempt at defamation of myself in my capacity as an officer of the Party (Copies herewith).

In this first collision with Dr. Gajewski, the roots of his later behaviour towards me can already be seen, since, as Gauhauptstellenleiter (Gau Section chief) for Technology (Technik) first in Dessau and later in Halle, and by reason of long experience of industrial conditions, I was in a position to disturb him considerably in his own field. This coincided with the activity of the Gauamtsleiter, Dr. Boettler, whose great initiative was equalled by his ability.

The reason for my dismissal from the I.G., which was brought about by Dr. Gajewski, was not inferior performance on my part, but, as I can sufficiently prove, because he saw in me the political official and wanted to cripple my activity and finally got me out of the works. This is not an isolated case, but has occurred repeatedly in Wolfen. For this reason, I have considered it necessary, in order to get these conditions finally cleared up, to renounce a personal settlement and to endeavour to secure this by way of Party trial.

A further opportunity for recognizing the attitude of Dr. Gajewski was accorded on the occasion of a lecture by the Nobel Prizewinner Professor Dr. Windaus, of Goettingen,

on 8 February 1935. In the speech of thanks, Dr. Gajewski, according to a memorandum of the same day which was given at the time to SD-Hauptsturmfuehrer Dr. Rohn and for which he himself is the witness, made statements, which are attached in copy hereto. They indicate clearly his belief in a coming "Fourth" Reich.

Dr. Gajewski's attitude towards social innovations, as already propagated in the first stages by the German Labor Front, was further clearly expressed in the discussion concerning the works regulations. In this, there were many points proposed by the members of the Confidential Board (Vertrauensratsmitglieder) which were almost all completely rejected by him; these included the non-engagement of non-Aryans, family allowances, suitable holiday vacations, a full-time works doctor and profit-sharing. Most of the points rejected at that time were won only later, in some cases only after a hard struggle - which took place mostly in the central meetings of the Advisory Council (Beirat) of the whole of the I.G. The principal leader in this fight was Oberingenieur Klingenberg, who always came up against the strongest opposition from Dr. Gajewski, but who knew how to overcome it successfully.

In the following period, when the precise publication of the expectations of the Party in social directions, even for non-National-socialists, had made it clear what was expected of a Betriebsfuehrer in the way of social measures, Dr. Gajewski, considering the capacities of the I.G., had reduced it nearly to a farce, and one often could not resist the feeling that these measures were approved only for the reason that

he could still have a voice in this matter.

Example I: Supplement for Large Families.

The following supplements were fixed: For workmen with 3 or more children, 2 Pfg. per hour for each child: RM. 4 per month; for employees with 3 or more children, RM. 10 per month for each child.

These rates were not only strongly criticized inside the works, but also in the newspapers. (Leipziger Neueste Nachrichten of 14 and 18 March, 1937; Schwarzes Corps of 1 and 7 April 1937).

My very urgent warning to the independent members of the Confidential Council (Vertrauensrat) to refuse the supplement for our works was shared and followed by these gentlemen. The regulation was then quietly introduced by Dr. Gajewski.

Example II: Marriage Allowances.

On 4 March 1937 the following notice concerning marriage allowances was published (Original available):

"We have decided to accord to female members of the personnel who have been a considerable time in our service an allowance on marriage at the following rates, to take effect on and from 1 March, 1937:

After 8 years of service	RM. 100.--
" 10 " " "	RM. 150.--
" 12 " " "	RM. 200.--
" 15 " " "	RM. 300.--

This notice is subject to the following comments, viz.

- 1) The regulation applies only to female members of the personnel and not to the men who remain in the works;
- 2) Before the notice, the annual change in female personnel amounted to over 33%, i.e. practically every three years the girls were all new. Only after 8 years were the female members of the works to get anything!

3.) The minimum age for female staff is 16, which means that they receive a marriage allowance at 24 at the earliest. Having to wait until one is 24 before marrying is in direct opposition to present-day principles.

Example III: Broadcasts for communal listening.

After permission for communal listening had been refused on the occasion of the Saar plebiscite, and the party offices had to intervene, many attempts were made to restrict audiences to 10% of the staff. It was usually necessary to take steps in order to ensure that all those of the staff who could be spared were allowed to participate. (Original circulars, dated 27 and 28 January 1937, on hand).

In a discussion held by Chief Engineer Klingenberg in my defense with Dr. Gajewski, the latter, as Klingenberg told me, stated the following on his attitude towards the Jewish problem:

"He had really done his duty in the latter problem (The Jewish problem) and had made preparations for coming events for many years, and to-day he was able to get rid of the Jews, half-Jews, etc. without endangering I.G.-interests. For years he had kept these people in positions where they could not find out too much and where they could do no more damage. This applied especially to Dr. Goldberger.— He then mentioned that there was one Jewish member who still had considerable inside knowledge (a professor) who was not only a German but a world authority and who

with the Gestapo's agreement, was not only allowed to continue work but whose further employment was desirable for obvious reasons."

These remarks on the Jewish problem can, in my opinion, be refuted on all counts. Not until he was forced by legal compulsion in May, 1938, did Dr. Gajewski, a Party member, fully apply the regulations pertaining to Jews. The Jews were not kept in positions from which they could be discharged without endangering I.G. interests. A Jew, Dr. Dannenberg, who furthermore received preferential treatment by being given a works flat after Hitler had seized power, escaped over the Dutch border. The attempts of the management to induce him to return by means of promises were unsuccessful.

Herr Dr. Goldacker was chief of the plate and developer plant, and as such had Handlungsvollmacht. Since almost all types of emulsions were employed on plates as well, he was familiar with the composition of these emulsions; since he also took part in Directors' Meetings he had undoubtedly gained additional knowledge in the other fields of production of that factory. He was also in charge of the production of all photographic chemicals such as developers, fixing baths, chemical flashes etc. In other words he knew all the most important factory secrets. — Herr Dr. Goldacker, who is married to a pure Jewess, employed a leave in Italy to get away from the factory and settled in Palestine instead. He gave up his well-paid job at Wolfen together with his considerable pension rights. He would only have done that if he was certain about his future,

i.e. he will exploit his considerable knowledge of factory secrets by selling them to foreigners, thus committing treason. The attempts of the I.G. to induce him to come back were also unsuccessful.

Nor were the Jews kept in positions where they could not find out too much and where they could do no damage. Up to May 1938 the Jews Dr. Luft, Dr. Herz and the half-Jew Dr. Biltz were employed in the film factory. In spite of his repulsive semitic appearance the Jew Dr. Luft was frequently sent to meetings and even to Reich Offices (such as the National Materials Control Office).

(Proof is available). Apart from allowing such a person to appear in the foreground I am certain that they did not deal with mere trifles.- The Jew Dr. Luft was moreover frequently detailed to receive visitors, especially visitors on problems to do with X-ray film, as he was in charge of research on this. Nobody considered whether the visitors enjoyed the company of a pure Jew, especially one who distinguished himself through his shameless impudence. This was especially noticeable on the occasion of a visit to Welfen by Herr Schiebelius, Kessler and Fuss from the Firm Krupp. All three are party members.

Contrary to Dr. Gajewski's statement to the effect that he kept the Jews away from new projects, he in fact backed up the Jew Dr. Luft in a matter concerning the examination of the cellulose cooking process in the new cellulose factory by Professor Schiebold from Leipzig.

The construction engineer, Dipl.Ing. Klepp, would not permit the Jew to enter the new plant. His superior, Chief Engineer Endres, then had a talk with him and said, we just aren't a purely aryan firm, you will have to put up with that and with lots more besides.

When the Jew in fact collected Professor Schiebald from the station and when Dipl.Ing. Klepp raised further objections to the Jew's presence, the luncheon which Klepp had ordered was cancelled and the Jew was taken out to luncheon instead.-

When the members of the Vertrauensrat (Confidential Board) were informed of this by Herr Birke and expressed their agreement with Dipl.Ing.Klepp, they were told - by Dr. Gajewski - after a stormy debate, that he was adhering to his decision and that the Jew was to perform the examination. The members of the Vertrauensrat were not to imagine that they were running the show.-

To begin with, the Jew did not, in fact, enter the new installations in the end he did, however, go into the new installations together with Professor Schiebald, so that Dr. Gajewski had again scored a victory.

The other Jews were not kept away from projects either. The Jew Dr. Herz was chief of the technical X-ray center in Berlin. Due to this position he was well acquainted with all X-ray film questions as well as with all sales problems.

The half-Jew Dr. Biltz also had knowledge of new projects and factory secrets, such as, for example, the secret of the new fine-grain film which proved of particular importance to the aircraft film for the Forces. In fact, in this particular case two senior party members felt

that it was their duty to mention this matter to Director Dr. Miller.

Dr. Gajewski will find it very difficult to reconcile his statements about his attitude to the Jewish problem with the facts, especially if his behavior in the years before Hitler's seizure of power became known, as well as his behavior towards the many Jews in the Konzern management, which could be determined through further statements by Chief Engineer Klingenberg and perhaps from Dr. Hans Wolf's files.

Dr. Gajewski's fight against all the party members who, disregarding their own welfare, worked for the supremacy of the Party, was in accordance with his determination not to comply with the wishes of the Party if these ran counter to his own. The Party chiefs know the case of Ortsgruppenleiter Dr. Saenger. According to his statements, the District Judge of the Bitterfeld district could also add a word or two from his own experience. Further, there were the circumstances in which Staatsrat Dr. Schieber left the I.G. He himself would be the best man to tell this story.

In the course of my long struggle for the Party within the I.G. I finally had to pay the penalty for this Party activity. The case of Director Dr. Miller, who refused me even a short period of time for Party purposes during working hours, needed only a one year interval. The proceedings before the Kreisleiter of Dessau - which were approved by Gauleiter and Staatsrat Eggeling who was then deputy Gauleiter - were, in spite of Director Dr. Miller's definite assurances,

GAJEWSKI No.1

one of the chief causes of the open warfare which broke out a year later (Term of Limitation imposed on internal disputes before the trustee).

Although I was lucky enough to have witnesses to my first clash with Dr. Gajowski (see above) and was thus able to prevent his slanderous intent, I was without witnesses in spite of my request to the contrary - as was Dr. Gajowski's intention - in the proceedings, which, by reason of the ever-deteriorating situation, in which I resorted to a comprehensive written defense (Translator's note: sentence incomplete).

In the proceedings Dr. Gajowski imputed that I had some motives, which I immediately denied in a letter to the DAF Trustee (Bottrich-zellenobmann), and which motives, in the light of the whole situation, appeared most improbable. The plant Management's opinion and attitude was uniformly against me, just as in the first slander case. I was accused of lying.

After the failure of many attempts to clear me - undertaken, in the main, by Chief Engineer Klingenberg, with Dr. Gajowski's permission, and by Ortsgruppenleiter Dr. Lautz as well as by the Halle-Merseburg Gauleitung - I felt that the only way to clear myself was to start proceedings against Dr. Gajowski before the Party Court with the aim of having him excluded from the Party. I enclose a copy of the indictment. The wording of this - as I told the Gau Judge, Dr. Triebel, in a hearing before the Gau Court at Halle on 4 February 1939 - is intentionally undetailed so that, in consideration of Dr. Gajowski's powerful position, the individual points and the names of the witnesses substantiating them will not become public too early. Gau Judge Dr. Triebel was given a statement of all the points together with

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documentary evidence.

My discharge is a further example of Dr. Gajewski's method of running counter to the Party's wishes. As regards my dispute, Director Dr. Miller and Director Dr. Kleine (Dr. Gajewski was in Egypt) had stated before the deputy Gauleiter Tesche on 2 February 1938 that the decision to transfer me closed the case and that, moreover, my transfer would not entail pecuniary loss on my part. Although Gauleiter Staatsrat Eggeling informed the factory management in a letter that the Gauleitung did not consider my case as closed, and although Dr. Gajewski knew that Chief Engineer Klingenberg was to act as mediator by order of the Gauleitung, Dr. Gajewski went over everybody's head, stating that it was his firm intention to get rid of me and shortly afterwards gave me notice. Prior to giving me notice he clearly expressed his intention to Chief Engineer Klingenberg. At that time there were unfortunately no legal means of preventing the execution of this intention, which ran counter to the wishes of the Party and to ^{the} promises made to me.

In the statements which Dr. Gajewski made to the Kreisleiter in the course of this dispute I can only see an expression of his own true attitude which came to the surface in a moment when reason failed to put on the brake. I believe that older, determined Party members, who recognize the supremacy of the Party at all times, and who have

had closer contact with Dr. Gajewski, are of exactly the same opinion. I am thinking in this instance of Chief Engineer Klingenberg, Stantart Dr. Schieber, Gen Office Chief Dr. Boettler, Dessau, as well as further staff members at Wolfen. All in all, in Dr. Gajewski I see a man who, especially in view of the great power which he can exercise, is of particular danger to the German economic administration. This administration is still considerably lacking in true National Socialists who, by dint of their own inner knowledge, perform that which is necessary and right in the interests of the common weal and are thus in themselves promoters of the National Socialist principles. The moment this is achieved, compulsory government, which is at present a necessity, will cease. That is why, if one refrains from using compulsion in the case of Dr. Gajewski and his followers, a quiet and unobjectionably National Socialist economic administration will be an impossibility while Dr. Gajewski retains his position.

Not only this case but everything else must also be considered in the light of the fact that it is men like Dr. Gajewski who are in charge of selecting the future leaders of the German economy. One cannot expect these men knowingly to train successors who, once they are on top, will, as a result of their own convictions, wring their predecessor's necks. In the last analysis, the present executives can, after all, be considered the product of the selection carried out by the "Jewish Rulers" who used to be so numerous in the firm.

In yesterday's discussion I referred to a

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talk with the SA-Brigadefuehrer Petersen from Dessau, who is not only the military leader of the National Socialists under his care but also their philosophical mentor to a considerable extent.

He felt very keenly the opposition which his SA-men met when they tried to realize in the factories that which they had learnt as, and felt to be the principles of the SA. These differences between National Socialism and the economy are shown very clearly in the first argument of my dispute. At the time Dr. Gajewski informed me that one needed two hearts, one for the factory and one for the Party: and I had but one. An admonition which I answered in my letter, dated 27 November 1937, to the effect that one needed one heart only, and that for the movement, and one's behavior towards the factory would be an automatic outcome of this, exactly as was the case with one's attitude towards him as Party member.

I hope that my statements will contribute to a solution of the Dr. Gajewski affair which will conform with National Socialist principles and which will bring peace to the upright Party members of Wolfen.

Enclosures

Heil Hitler

signed: Hingst

Notarial Statement

U.R.No. 581/1947

Discussed at Leipzig on 5 May 1947

There appeared today before the undersigned Notary

Dr. Kurt ECKSTEIN,

who has his office at Leipzig,

Frenz August Wilhelm LAMPE, Volkswirt (Economist)
residing at Leipzig O 29, Boettgerstr. No.18,
first floor, left,

identified by his registration card dated 18 May
1946, issued at the 29th police office,

who declared his willingness to make an affidavit. The notary drew
his attention to the fact that he would be liable to punishment for
making a false statement. The witness then stated under oath:

"I, Wilhelm Lampe, born on 1 July 1903 in Muenchen-Gladbach,
residing at Leipzig O 29, Boettgerstr. 18, herewith declare
under oath that in connection with the Gajowski matter the
circumstances regarding the finding of the copy of the denun-
ciation made by Dr. G. Hingst, Sealfeld/Saale on 26 September
1939 to the GESTAPO, Halle, for the attention of Kriminalrat
Franke, Halle/Saale, Polizeipraesidium, and which was sent to
Dr. Friedrich Gajowski, were as follows:

From 14 January 1946 until 13 May 1946 I was employed on dis-
mantling work by HASAG, Leipzig, Nordwerk, Bareckenbau, as
shown by the attached release certificate.

During part of this time it was our task to pile up wood for boxes in front of the administrative building of the HASAG. The working squad entered and walked through the building many times. Firewood, which had been "organized" outside, was often earmarked, hidden, and, after work had ceased in the evening, picked up.

In the rooms of the former Generaldirektor of the HASAG, Paul Budin, which were located on the second floor of the building, were large piles of loose sheets of paper, periodicals etc., which had either been swept up or blown there by the wind. It was under these piles of paper that the wood was hidden.

On one such occasion in March 1946 the above mentioned copy came into my hands. I kept it and took it home. I intended to forward the copy, which was very important, to Dr. Gajewski at the first opportunity for the purpose of his denazification. I do not know Dr. Gajewski personally, neither do I know whether the copy had come from the secretariat of Budin or whether it had been in the possession of the technical director of the HASAG, Hans Fuehrer, whose room was next to those of Herr Budin; the latter assumption is, however, quite possible, as a number of picture postcards, addressed to Herr Fuehrer, were under the pile of paper in which the copy was found. One picture postcard is attached as proof."

GAJEWSKI No. 2
EXHIBIT No.

The above statement was read by the notary, approved by Herr
Lampe and signed as follows:

Seal

signed: Wilhelm LAMPE

signed: Dr. Kurt ECKSTEIN

Notary

Expenses:

Value: RM. 3.000.-

16.- RM. fee according to paragraph 144, 26, 43. 1 RKO
-.48 " Turnover tax

16.48 RM.

signed: Dr. Eckstein
Notary

Copy

Hugo Schneider
Aktiengesellschaft

Certificate of Release

Staff Member

LAMPE, Wilhelm,

born 1 July 1903, residing at Leipzig O 29, Boettgerstr. 18, was
employed by us on dismantling work from 14 January 1946 until 13 May
1946. He is being released on the grounds of illness.

Leipzig O 5, 14 May 1946

H A S A G
Employment Office
signed: Roppin.

GAJEWSKI No. 2
EXHIBIT No.

Copy

To the Gauamtsleiter Party Member H. Fuchrer, Technical Office
(Amt fuer Technik)

Hamburg 36,
Alsterglacié 7

Plassenburg, 18 August 1938

Dear Hans,

I can bear witness to the fact that by frequently attending the courses at the Plassenburg one derives real pleasure from attending them, especially in summer, when the range of the view, together with the range of the things heard and experienced, helps to remove all pettiness and everything that is unimportant. I am happy to be here and I do not begrudge it to anybody who is worthy to be here. This is not the thing one writes on a postcard, but I feel I must say it. Please give my regards to the men there. Heil Hitler !

Yours

signed: Fr. Loesser

The above copy is herewith submitted to Dr. Friedrich GAJEWSKI,
at present at Nuernberg, Palace of Justice.

Leipzig, 5 May 1947

signed: Dr. KURT ECKSTEIN

Dr. Kurt Eckstein
Notary in Leipzig
(Stamp)

Notary

GAJEWSKI No. 3
EXHIBIT No.

POLYTECHNIC INSTITUTE OF BROOKLYN

99 Livingston Street

Brooklyn 2, New York

Institute of Polymer Research

Triangle 5-6920

Dr. H. MARK, Director

July 30, 1947

TO WHOM IT MAY CONCERN

This is to certify that I have known Dr. Gajewski since 1927 and have been in rather close connection with him until 1932 and in somewhat less close connection until 1938. I have not seen him since.

While I had the occasion to work with Dr. Gajewski he always impressed me as being a man of great energy, high intelligence and of impeccable character. He was a hard worker himself, expected hard work from his colleagues and associates but was always ready to acknowledge achievement of others and give them the deserved credit.

During the pre-Nazi years (1930-1932) he expressed himself repeatedly very strongly against an undemocratic dictatorship of any kind and was a firm advocate of democratic procedures and installations.

When the Nazis finally came to power, he did not openly stand up against them, which one hardly could have expected him to do as he was a chemist and not a politician. He did however, in his own domain, everything possible to reverse the effect of Nazi doctrine and racial discrimination. In particular he helped a great number of his Jewish or half Jewish colleagues to

escape from Germany or he protected them from persecution and dismissal. In this endeavor to assist his friends he went sometimes so far as to risk grave consequences for himself. I had a number of discussions with him on the political situation in Germany and Austria between 1933 and 1938 and remember that he always expressed himself strongly for a return of Germany to a democratic government with free elections and for a complete abolishment of any racial or religious discrimination.

I have heard that Dr. Gajewski is facing a trial because of his activities prior and during the war and I thought that I should submit the above statement to the proper authorities. I would be very pleased if it could be of value to find the truth and to establish the correct picture of Dr. Gajewski's personality.

Respectfully yours,

H. MARK

H. MARK

HM:rb

GAJEWSKI No. 4

EXHIBIT no.

Second Copy .

Dr. GERHARD OLLENDORFF

Rio de Janeiro (Brasil),
Rua Conselheiro Lafayette 29,
ap. 8

24 April 1947

Affidavit

I, Dr. Gerhard Ollendorff, born 12 October 1878 in Rawitsch (Former Prussian province of Posen), of Jewish extraction, and until May 1st 1932 (the date of my retirement) a deputy member of the Vorstand of the I.G. Farbenindustrie Aktiengesellschaft and Manager of the Film Factory in Wolfen, make the following sworn statement in favor of Dr. Fritz Gajewski, member of the Vorstand of the I.G. On account of the fact that here in Brazil only signatures on Portuguese documents are certified, it was not possible for me to obtain a certification of my signature. In case my uncertified statement should carry no weight, I am prepared to have it translated into the Portuguese and certified, or to repeat the same here at an American- or British Embassy or Consulate.

1) I met Dr. Gajewski in Frankfurt a/M in February 1933 at a meeting of the Aufsichtsrat of the German Gelatine Factories. Dr. Gajewski, who sat next to me during the meeting, said to me in connection with the rise to power of the Nazis, which had just taken place:

(page 2 of document)

"So we will have to get through this dirty patch too ! There will soon be no more people around like Haber or Willstaetter . You'll see yourself soon!" I have never forgotten these words of Dr. Gajewski. They seemed to prove to me that he was at heart an enemy of the Nazis. I was all the more surprised, when I learned several months later that he had joined the Party, but I thought that he had taken this step in the interests of the Company and not on account of his personal convictions.

2) I know that in about 1934 Dr. Gajewski helped his old friend, Dr. Ernest Schwarz, who had been for many years Welfare Director at the Ludwigshafen Works and who was the son of a Rabbi, to go to the U.S.A., and there to become the President of the subsidiary of the Agfa, the Agfa Ansco in Binghamton , N.Y.

3) When on 10 of November 1938 I was driven from my home in Grainau, Upper Bavaria, and arrived in Berlin, after being arrested in Bregenz, for three days / Dr. Gajewski sent a car for me to take me to Wolfen in order to discuss with me my new situation and my plans. During this discussion he told me that by taking this step he was laying himself open to danger; he was continually being spied upon and he showed me in his office his safe containing important documents. This safe still bore the marks of an attempt to force it which had been made several days previously.

4) When I was arrested in Berlin by the Gestapo at the end of January 1939 and transferred to the police jail in Halle (Saale), Dr. Gajewski, who had been informed by my wife,

(page 3 of document)

immediately went to Halle to intervene with the chief of the Gestapo there and to effect my release. As he told me later, this gentlemen said at the beginning: "He will never leave alive !" At the instigation of Dr. Gajewski, in May 1939, several executives of the Film Factory intervened again on my behalf.

5) On 14 June 1939 I met Dr. Gajewski in the Hotel Adlon in Berlin at a meeting which had been suggested by the Generaldirektor of the I.G., Geheimrat Schmitz, to discuss the situation which was created by my intention to emigrate to Brazil. Dr. Gajewski informed me that the Vorstand of the I.G. did not object to my emigration, despite my great experience, especially in the field of photography. He advised me to get in touch from Brazil with the subsidiary of the Agfa in the U.S.A., the Agfa Ansco in Binghamton N.Y., (whose machines had been built by myself in Wolfen in 1927/28) and to try to come to a working agreement with them. He himself would recommend me to the executives in Binghamton to help me to conclude such a contract. In view of the prevailing political situation, I was very much astonished by Dr. Gajewski's offer. Several days afterwards I received the letter of the Vorstand of the I.G. of which a photostatic copy is enclosed, and which bears the signature of Dr. Gajewski. The copies of my answers are also attached.

The sentence in my letter to Dr. Gajewski, dated June 29th 1939, "I shall never forget what you are now doing for me" I now feel I should ^{put it} / into practice to help Dr. Gajewski who, I hear,

GAJEWSKI No. 4

(page 4 of document)

is himself now in a difficult situation. This is the reason
why I feel compelled to make the above declaration on oath,
in favor of Dr. Gajewski.

Dr. Gerhard Ollendorff

enclosure: 1 photostatic copy
2 copies of letters.

I.G. FARBENINDUSTRIE AKTIENGESellschaft

V o r s t a n d

Frankfurt (Main) 20

15 June 1939

Mr.

Dr. Gerhard Ollendorff,

Berlin-Wilmersdorf

Innsbruckerstr. 12

Dear Dr. Ollendorff,

As you informed us, you have the intention of going abroad. We hereby confirm that our Company does not object to your emigration. As far as this is within our power, we shall be glad to help you to obtain a position abroad.

With best wishes for your future, we remain,

Yours very truly

I.G. Farbenindustrie Aktiengesellschaft

(signed) Otto (signed) Gajewski

Copy

Berlin-Schoeneberg, 29 June 1939

To the
Vorstand of the
I.G. Farbenindustrie Aktiengesellschaft
Frankfurt-Main

Gentlemen,

The contents of your letter of the 15th of this month, which I received the day before yesterday, give me great satisfaction and I am grateful for it. The feeling that I am not being quite abandoned by my former colleagues, even in difficult times gives me extremely great comfort.

I am looking forward to hearing that your endeavours on my behalf have been successful, and thank you from the bottom of my heart.

Yours very truly,

signed: Ollendorff

Director Dr. Fritz Gajewski,
Wolfen

Berlin-Schoeneberg, 29 June 1939
Innsbruckerstr. 12.

My very dear Dr. Gajewski,

Enclosed is my official letter to the Vorstand expressing my thanks for their extremely friendly letter to me. I am aware of the fact that it is you, in the first place, to whom I have to be grateful, and I would like to thank you especially. As I told you at our discussion, I would not have believed that the Vorstand would take so much trouble on my behalf. I shall never forget what you are now doing for me.

Yours very faithfully,

signed: Ollendorff

GAJEWSKI No. 5

EXHIBIT No.

Prof. Dr. J. Eggert
Fing. Technical School, Zuerich
Sonneggstrasse 5
Telephone : 32 73 30

Wallisellen,
Saentisstrasse 11
Telephone : 93 28 46

Zuerich, 2 June 1947

A f f i d a v i t .

I, Professor Dr. John EGGERT, born on 1 August 1891 in Berlin, at present living in Wallisellen, Canton Zuerich, Saentisstrasse 11, herewith depose the following affidavit, being almost a verbatim reproduction of my statement of 21 March 1946: -

I have known Dr. Fritz GAJEWSKI since approximately 1925, when he was entrusted with the supervision of the Agfa Sparte. I myself had been Chief of the Scientific Central Laboratory of Agfa since 1921, and until 1937, was Professor extra ordinary of the University of Berlin, a position from which I was removed under the Nazi-Régime, because my wife was a Jewess. I came into closer contact with Dr. Gajewski in 1933, when he took over the management of the Agfa Film Factory, Wolfen (Bitterfeld district) and removed to Leipzig.

During the period of my collaboration with Dr. Gajewski, I learnt to know him as an energetic and far-sighted Works Manager, a strict but just superior with the well-being of his staff and workmen at heart, and an upright man who had the courage of his own convictions. To these traits of character can be attributed the fact that Dr. Gajewski repeatedly helped me, my wife and some of the Jewish members of his staff out of distressing situations, at the risk of his position and personal safety.

As in my case, Dr. Gajewski allowed Drs. Martin Biltz, Hans Bincer and Fritz Luft, my three Jewish colleagues, to retain their posts as long as this policy was compatible with official regulations. Moreover, at a later date, Dr. Gajewski made it considerably easier for the above-mentioned men to obtain their exit permits (1940, 1937, 1938) by giving his authorization, despite "Karenz" regulations (regulations stipulating that an employee shall not ~~enter~~ the service of a rival firm within a prescribed period) which proscribed such action, for the entry of the men into the service of rival photographic firms abroad (Japan, Italy, Argentina). The same applies to Dr. Gerhard Ollendorf, Dr. Gajewski's Jewish predecessor, whose emigration to Argentina he rendered possible by casting his vote in his favor, having taken an active part - as in the case of Dr. Bincer - in liberating him from the town gaol of Halle an der Saale.

Dr. Gajewski's position in November 1944, when it was a matter of obtaining my exemption from compulsory service with the Organisation Todt, was a much more difficult one. Only a personal visit to the highest Gestapo-Office in Leipzig, followed by petitions filed in Berlin in writing and by telephone rendered possible despite the many difficulties, caused partly by intermediate authorities whose views were different from his own or who feared the consequences of action on their part, and partly by the Party and Government authorities, the successful employment of methods the use of which at that time seemed, at first sight, hopeless. Undoubtedly the most difficult task was, however, that of preserving my wife from deportation to Theresienstadt and thus from certain death, in February 1945, as, in this case, there were no longer business interests which Dr. Gajewski could plead, as had been the case where my removal was concerned, but purely personal and altruistic motives, the pleading of which necessitated complete/ the plucky disclosure of/disregard for the most important principle of national socialist ideology. Although the events of the war added considerably to the difficulties involved in the negotiations Dr. Gajewski finally succeeded.

Finally, the following point deserves emphasis, that, contrary to the policy of many other members of our once wide circle of acquaintances, Dr. Gajewski and his family never completely severed relations with my family, and that, shortly after the severe air-raids of 1943, Dr. Gajewski appointed me as his plenipotentiary for the reconstruction of the University of Leipzig.

GAJEWSKI No. 5

EXHIBIT No.

I am aware that it is a punishable offense, according to both civil and military law, to make a false affidavit. I am aware that the above statement, made by me, is to serve to make possible a decision.

PROF. DR. JOHN EGGERT

Prof. Dr. John Eggert

Official Attestation

I herewith attest the authenticity of the above signature of Prof. Dr. John Eggert, appended in my presence at Wallisellen, Saentisstrasse 11, his identity having been established by the submission of a foreign identification card.

Zuerich, 2 June 1947 Notary's Office, Zuerich (Old City)
Tax, Fr. 2.-
N. 11701/2. (2 Signatures)

Notary's Office, Zuerich (Old City)

Canton Zuerich

(Seal and Stamp)

GAJEWSKI No. 6

EXHIBIT No.

DR. PABLO FEDERICO LUFT
Junta 1999
U. T. 63-7490

Buenos Aires, June 21st, 1947

Mrs. Lisl Gajewski
v. Bettingerstr. 7
Leverkusen
Nord-Rhein-Provinz

Germany
Brit. Zone (22)

Dear Mrs. Gajewski :

On January 29, 1947, I forwarded you a letter entitling you to present same to the Nuernberg Court in connection with the trial against your husband. In the meantime, I was informed that my signature could not be confirmed in the places I had indicated, and for this reason I prefer to send you once more my lines, with my signature duly authenticated. I thought it suitable to send you the repetition of my letter in an English version.

Only few days ago, I was informed that your husband has been under arrest since several months, and I take the liberty to forward to you these lines hoping that same might be of some utility for him.

First of all, I have to introduce myself to you as I cannot expect that you remember me.- From 1928 till 1938, I held a position as a chemist in the Wolfen film factory, in the Scientific Section which was directed by Prof. Eggert. During the last years of this period, while your husband had his permanent office at Wolfen,

I had several times to deal with him with respect to factory matters and thus I became sufficiently acquainted with him that I could take the liberty to approach him also in semi-private questions. I wish to give you an account of two opportunities as both prove his position doubtlessly by facts.

The first case refers to a visit of mine which in 1936 I paid to your husband in his private flat in Leipzig. I intended to marry and asked him, as my highest chief, to explain to me with full frankness, if he considered my position, although being Jew, as sufficiently secure to warrant a marriage. His reply which was given without hesitation and with fullest conviction, was that my position was absolutely secure as long as he would be in charge of matters; that he himself never had been an anti-semite - of which I was already aware since on the contrary I would not have contacted him - and that he did not believe that the national-socialists and specially the anti-semitic tendency might be maintained for a long time. A few weeks later, in November 1936, I married being convinced that I might fully rely on the words your husband had given to me.

It was certainly not your husband's fault that finally all the Jewish employees of the I.G. had to leave. At that time - August 1938 - I had once more the opportunity to know your husband's standpoint. I considered it as a matter of course that I had to take leave of him personally. On this occasion, he expressed to me his personal gratitude for my many years' services in the factory and

gave me his best wishes for the future. I replied that I had reason to suppose that already the first condition in order to realize his good wishes, was not complied with, that means the crossing of the frontier; because in that time, for reasons easy to understand, Jewish technicians were not allowed to leave Germany. Your husband answered that he was in a position to assure me positively that I had not to reckon with such a difficulty. I understood immediately the meaning of these words and did not insist upon further explanations which he was certainly not at liberty to give anyway.

As a matter of fact, I crossed the frontier without inconvenience which proved that your husband had intervened on my behalf in some way or other. I am convinced that otherwise I would not be alive and in a position to send you these lines, and if this letter might contribute to return only a small part of the thanks I owe to your husband, it would be a special satisfaction for me.

It is my desire that your husband might succeed in convincing his judges of his fair and sincere position which nobody may have doubts about who had opportunity to know him well.

In connection with this letter, I affirm hereby that I am an Argentine citizen by naturalization having obtained citizenship under certificate No. 452.940 dated April 15, 1942 and being in possession of the "Argentine Enrolment Book" No. 4455900 dated August 25,

1942; that this letter has been written spontaneously by me; that all the particulars of the above letter are true; that you are entitled to present this letter before the Nuernberg Court where your husband is under trial; that this letter is signed with my own hand,

F. LUFT

that/
I hereby certify/the above signature "F.Luft" is authentic and that it was made in my presence by Senor Pablo Federico Luft who is personally known to me and whose Argentine Military Registration Book (Enrolment Book) bears the number 4455900 issued by Military Region I, District No. 4 - Office Section 5a, 1901 Class. The Signatory was born on 15 July, 1901 at Rosswein, Saxony, Germany,

Buenos Aires.

This twentyfirst day of June one thousand nine hundred and forty seven.

EUGENIO E.L. CARRAU

Eugenio E.L. Carrau
Notary
(Stamp)

C e r t i f i c a t e

Regarding Dr. Fritz GAJEWSKI

Supplementing the Certificate of Dr. John EGGERT, Professor of Photography at the "Eidgenössische Technische Hochschule" in Zurich, Switzerland.

I was connected with the "Färbefabrik" (A g f a) of the I.G. Farbenindustrie A.-G. at Wolfen, Kreis Bitterfeld and worked as a chemist in the Research Laboratory directed, at that time, by Dr. EGGERT, until July, 1938. The head of the factory was Dr. Fritz GAJEWSKI.

Being one of the many younger chemists, I seldom had the opportunity of meeting him. It was on account of my being a "Non-Aryan" that I learned about him, especially regarding his attitude towards the Jewish problem. Whilst the Jewish employees of other factories lost their positions; Dr. GAJEWSKI refused to send us away. On the contrary, he assured us that he would not remove any employee on account of his race. But eventually he was forced to give up his resistance owing to the strong pressure from the government.

Dr. EGGERT often told me how sorry Dr. G. felt that he had to give in. After my dismissal he had my salary paid to me until, in January, 1940, I was able to leave for abroad. I know that he had to overcome strong resistance in making this arrangement. The only written notice which I have, showing his attitude, is a letter of September 23, 1939 a copy of which is attached to this certificate.

From his attitude towards me it is evident that Dr. Gajowski
was strongly opposed at least to the fundamental racial ideas of
National Socialism.

Rochester, New York
January 17, 1947

MARTIN BILTZ
Martin Biltz

From Dr. Martin BILTZ
53 Lake View Park
Rochester 13, N.Y.

STATE OF NEW YORK)
COUNTY OF MONROE) ss.
MONROE COUNTY
CLERK'S OFFICE

I, Walter H. WICKINS, Clerk of the County
of Monroe, of the County Court of said
County, and of the Supreme Court, both
being Courts of Record,
having a common seal, DO CERTIFY, that

----- John Francis MOULAN -----

before whom the annexed Oath, Affidavit,
Acknowledgment purports to have been made
or taken, and certified by him, was at the
time of the making or taking thereof a
NOTARY PUBLIC in and for said County, and
was duly authorized to take same, and was
authorized by the laws of this State to
take and certify the acknowledgment and
proof of deeds to be recorded in this State;
that I am well acquainted with his handwriting
and verily believe his signature thereto is
genuine and that such officer is not required
by law to have a seal nor is he required to
have a specimen impression thereof filed or
deposited in this office, or recorded, filed
or deposited in any other place.
IN WITNESS WHEREOF, I have hereto set my
hand and the official seal of said Court
this 27 day of January 1947.

A 1929

BY

WALTER H. WICKINS Clerk
HENRY E. BIELSKI. Deputy Clerk

GAJEWSKI No. 7
Exh. No.....

STATE OF NEW YORK)
COUNTY OF MONROE) ss:
CITY OF ROCHESTER)

On this 18th day of January, 1947, before me personally came and appeared Martin BILTZ to me known and known to me to be the person described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same.

JOHN FRANCIS NOONAN

No. 3143

John Francis Noonan
Attorney & Counselor at Law
Office Address: 45 Exchange St.
Rochester, N.Y.
Residing in Monroe Co.
.....
Commission expires Mar. 30, 1947

GAJEWSKI No. 7
Exh. No.....

C O P Y.

I.G. Farbenindustrie Aktiengesellschaft
Board of Directors

Film Factory
Dr. Ga/Ei.

Wolfen (Bitterfeld District)
23 September 1939

To
Dr. M. B I L T Z
c/o Frau KIRSCH
Guentzelstr. 62
Berlin-Wilmersdorf.

Dear Dr. BILTZ,

The person who signed below on the left-hand side has received your letter of 14 inst.. In answer to your enquiry we desire to state that to our great regret and after careful consideration we are unable to avail ourselves of your services in I.G..

In view to your difficult position we have once more prolonged the payment of your retaining fee (Kontenz). We wish, however, to draw your attention to the fact that in future we shall also have difficulty on that score.

Heil Hitler !

I.G. Farbenindustrie Aktiengesellschaft

signed: GAJEWSKI ESSELMANN

STATE OF NEW YORK)
COUNTY OF MONROE) ss.
MONROE COUNTY CLERK'S
OFFICE

(Seal)

I, WALTER E. WICKINS, Clerk of the County of Monroe, of the County Court of said County, and of the Supreme Court, both being Courts of Record, having a common seal, DO CERTIFY, that

--- John FRANCIS NOONAN ---
before whom the annexed Oath, Affidavit, Acknowledgment purports to have been made or taken, and certified by him, was at the time of the making or taking thereof

GATIEWSKI No. 7
Exh. No.,.....

a NOTARY PUBLIC in and for said County, and was duly authorized to take the same, and was authorized by the laws of this State to take and certify the acknowledgment and proof of deeds to be recorded in this State; that I am well acquainted with his handwriting and verily believe his signature thereto is genuine and that such officer is not required by law to have a seal nor is he required to have a specimen impression thereof filed or deposited in this office, or recorded, filed or deposited in any other place.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of said Court this

27 day of January 1947.

A 1930

By WALTER H. WICKINS Clerk
 HENRY B. BIELSKI. Deputy Clerk.

GAJEWSKI No. 8

Exhibit No.

RUTH BINGER

Einbeck, 17 May 1947.
Laegedebrink 2.

A F F I D . V I T .

I hereby declare the following on oath :

I, Mrs. Ruth BINGER, née Seifert, born on 11 December 1898 in Elbing, at present living in Einbeck, Laegedebrink 2, am not related to Dr. Gajewski either by blood or by marriage. I did not belong to the NSDAP or its affiliations.

My husband worked from 1928 onwards as a chemist (Dr. chem.) for the firm of Agfa in Wolfen-Bitterfeld. His superior was Director Dr. GAJEWSKI. At that time I also got to know Dr. Gajewski and his family through my husband. Through my own personal experience, I had ample opportunity to form an opinion about Dr. Gajewski's political outlook. About the latter I have to make the following statement :

In 1935, my husband was held in jail in Halle for six weeks for racial reasons. Dr. Gajewski immediately endeavoured to effect his release. He did so in spite of his exposed position and he did not let himself be discouraged by the danger he thus incurred. He fought for my husband with such energy that he was actually released at last. This success was due only to the initiative of Dr. Gajewski. In order to remove my husband -and with him also my family and myself-

from the dangerous zone, Dr. Gajowski made it possible for us to move to Leipzig and when the racial persecutions by the National Socialists got steadily worse, finally to Vienna. Thereby he made it impossible for the National Socialists to carry out their harsh attempts to put their racial doctrines into practice as far as my husband was concerned. Dr. Gajowski later stuck to his active opposition to the racial principles of National Socialism. Because when in the course of those years, the National Socialistic intrigues moved to Austria and racial persecutions also began there, Dr. Gajowski gave my husband the desired release. Thereby he made it possible for my husband to escape abroad. The release was given without any stipulation that he was not to accept work for three years in the same chemical field, as was usually the case when chemists were released. Thereby my husband was not only enabled to go to Italy, but also to accept at once a job in his line and thus to make a fresh start economically. In this manner Dr. Gajowski through his own active intervention - as far as this was humanly possible - saved my husband from persecution by the National Socialists.

Dr. Gajowski also showed himself as an outstanding person in all discussions. His ideology

did not show any National Socialistic ideas. He had a wide horizon and was always ready to help, without making distinctions as to race or religion. He rejected dictatorship as a form of government and instead of that, embraced the ideals of democracy. His outlook on life was based on the tenets of humanity.

I have never heard anything to the contrary of Dr. Gajewski.

I am aware of the fact that violation of the obligation to speak the truth in affidavits is punishable by German as well as Military law. I know that my present declaration is to serve as evidence.

If necessary, I am ready to repeat orally my written statement.

Einbeck, May 17th 1947.

Mrs. Ruth BINGER

II) No. 113 of the Register for 1947

The signature of the Assistant Nurse and Translator Mrs. Ruth BINGER, nee Sciffort, living at present in Einbeck, Maagdebrink 2, who identified herself by producing her Identity card AY No. 177059, with the letters HH, is hereby legally certified.

Einbeck, 17 May 1947.

LOTHAR URBANCZY
Notary Public

Cost Account:

Value: RM 3000.--	
Fee Paragr. 39 KO (5 /20)	RM 4.--
Turn-over Tax	RM 0.12
	<u>RM 4.12</u>

Lothar URBANCZY
Notary Public

Lothar Urbanczy
Notar Public
for the district of the
Appellate Court of Celle,
Einbeck
(Stamp)

GAJEWSKI No. 9
Exhibit No.....

STATE OF NEW YORK :
COUNTY OF BROOME : SS:

I, DR. HERMANN W. HOERLIN, wish to testify that late in 1937 and early 1938 Dr. Fritz Gajewski, then a director of the I.G. Farbenindustrie A.G., facilitated my emigration from Germany. The writer was then employed as physicist in the laboratories of the Agfa Film Plant in Wolfen, Kreis Bitterfeld, Germany.

I requested Dr. Gajewski's help for personal reasons; primarily to escape Nazi oppression with my present wife, the former Mrs. Willi Schmid, then being my fiancée; and to be able to provide democratic education for our children. Dr. Willi Schmid, music critic with the Muenchner Neueste Nachrichten, was killed by the S.S. on June 1934 in the Dachau concentration camp.

Dr. Gajewski was aware of these circumstances and showed much understanding. His active and successful support of my plans was contrary to the established policies of the Nazi regime which opposed emigration of German scientists and of men subject to compulsory military service.

I have been a naturalized American citizen since July, 1944.

HERMANN W. HOERLIN

Subscribed and sworn to before
me this 23rd day of June, 1947
--- CHARLES L. TURNER ---
Notary Public.

(Stamp):

Charles L. Turner
Notary Public, State of New York
Residing in Broome County
.....Clerk's No. 115

My commission expires March 30, 1949

Affidavit

I, Dr. Harry Oskar Gottlieb MEYER, residing at Munich, Leussere Prinzregentenstrasse 10, born on 13 October 1898 in Moscow, have been warned that I shall render myself liable to punishment if I make a false affidavit. I hereby declare on oath that my following deposition is the truth and was made in order to be presented as evidence to the American Military Tribunal No. VI, Nuernberg.

(1) In 1927, I was employed by the Filmfabrik in Wolfen as a chemist in the Scientific Laboratory of the artificial silk factory. I remained with the Scientific Laboratory for several years and up to 1931 my services were occasionally used in plant experiments. Thereafter I worked for some time in Wolfen in the plants producing artificial silk and spun rayon. In 1933, I was finally transferred to the Economic Control Department (Abteilung fuer Wirtschafts-pruefung), which represented the Sparte Office of Sparte III. When the Chief, Dr. Fritz Melas, resigned in 1935/36, I took over the management of this department. In 1935 I was ordered to take over in addition the representation of Sparte III with the Vermittlungs-stelle W. In 1938 I was appointed Handlungsbevollmaechtigter and in 1941, Prokurist of

the I.G. Farbenindustrie A.G. Frankfurt.

(2) Subject: Vermittlungsstelle W.

My assignment to Vermittlungsstelle W, Berlin was discussed for the first time at the end of 1935. According to my recollection, Dr. Ritter, Dr. v. Bruening and, I believe, Dr. Eckell came to Wolfen and negotiated with Dr. Gajewski. I was later included in these negotiations and was notified that I was to take up the problems concerning the Vermittlungsstelle W on behalf of Sparte III. I should like to state here that Dr. Gajewski always maintained a certain distance from the Verbindungsstelle I. He was anxious for me to remain in Wolfen and not to be transferred to Berlin permanently. It is easily understandable that, in this way, he was in a better position to control the situation. In addition, I also had the work with the Sparte office and therefore was unable to leave, because my chief work consisted in this Sparte activity. In regard to the financial questions, Dr. Gajewski stated, as far as I remember, that he intended to participate only with a 15% share in the expenses incurred by the Vermittlungsstelle W, Berlin.

I myself visited the Vermittlungsstelle W at irregular intervals, sometimes once a week and sometimes not at all for a period, because the handling of the regular Sparte III business required frequent journeys. I myself

handled the negotiations concerning the procurement of raw materials and the quota allotments for Sparte III. The central co-ordination of all proceedings, as exercised by the other Sparte Bueros, did not exist within Sparte III. From statements made by Dr. Wagner and Dr. Gorr, I concluded that Dr. Ter Meer had desired that literally everything connected with the Wehrmacht etc. should be submitted to Vermittlungsstelle W. We, in Sparte III, did not observe this procedure.

The tasks of the Vermittlungsstelle W were the following: Mobilization plans, quota allotments unless dealt with by the Sparte Buero, dislodgment of industries (Industrierverschleppung), and decisions concerning draft exemptions (UK-Stellungen) in special cases. The Vermittlungsstelle W, Berlin, also handled research questions concerning the Wehrmacht, but these did not come within my sphere of duties within Sparte III, because technical works, such as those of the photographic plant, were the subject of direct negotiations between the Filmfabrik and the Wehrmacht agencies, in so far as the Wehrmacht had any interest in the field of photography. Furthermore, questions of patent releases and permits for plant visits were also handled by the Vermittlungsstelle V.

Dr. Gajewski, in general, wanted the works first of all to exhaust their local means and only in particularly difficult circumstances to avail themselves of the assistance of the Vermittlungsstelle W, Berlin. This was

usually done by transferring these cases to me, and these were either handled by myself or submitted to the Vermittlungsstelle W, Berlin, for further action.

(3) Dr. Gajewski expressly requested that matters concerning the DAG (Dynamit A.G.), which were loosely connected with Sparte III, should not be handled by the Vermittlungsstelle W, Sparte III. These matters were to be dealt with by Herr Paul Mueller, General Director of the DAG.

The Deutsche Celluloid Fabrik in Zillenburger was likewise not under the supervision of Wolfen. There was also practically no contact with the Firma of Wolff & Co., Walsrode. Friendly relations were maintained with Kalle & Co.

(4) In regard to the handling of mobilization plans by Sparte III, I must say that the whole set-up of my Sparte did not permit of any great activity, in view of its personnel policy. In this connection, I should like to refer to the Personnel-Union brought about by my double appointment as Chief of the Sparte Ruero III and as representative of Sparte II¹ with Vermittlungsstelle W, and to stress the small size of the office of the Vermittlungsstelle W Sparte III, where I employed only two people.

It was more or less a question of taking over from the Vermittlungsstelle W in Berlin

the mobilization plans already extensively prepared. The situation was rendered more difficult by the fact that the authorities themselves did not have a clear understanding as to the treatment of questions concerning artificial silk and spun rayon. All the works of Sparte III, with few exceptions, were considered K and L works, i.e. war-essential and vital works as opposed to R works, i.e. armament works.

The assignment of artificial silk and spun rayon works was, as far as I remember, brought about through the Mobilization Order issued in 1938 by the Control Office Chemistry (Ueberwachungsstelle Chemie). If any production was not affected by mobilization plans, it meant that its cessation was to be expected. However, I do not know of any production of Sparte III that was not subject to assignment. It happened, for example, that at the beginning only 50% of the photographic production capacity was utilized, on the assumption that there would be no export; this, however, turned out to be a false conclusion and production later on was in full swing. In regard to artificial silk and spun rayon, a method was sought for the setting up of the manufacturing program according to the titre (yarn thickness). These considerations made at that time proved likewise after the outbreak of war to be wrong. The titre programs had soon to be changed; as a whole, many points concerning this work were not clear. Moreover, the Control Office Chemistry had later on

no jurisdiction over the artificial silk and spun rayon production, for this field had been taken over by the Reich Ministry for Economic Affairs and consequently these plans had to be re-drafted.

What actually happened was that the assignment orders (Belegungspläne) dispatched by the Vermittlungsstelle W, Berlin, were forwarded to us and then distributed to the works. As a matter of fact, it was customary in the early stages to issue the assignment order (Belegung) in Berlin in two sessions, which were attended by representatives of the Control Office Chemistry (Ungewitter Office) and by representatives of I.G., such as myself and a specialist as representative of the Sparte.

I should like to add in general that owing to the nature of the production of Sparte III, which as previously mentioned, had practically no armament assignment, there was never large scale co-operation with the Wehrmacht.

(5) In regard to the organization of the so-called war games, I can say that this matter was actually handled in Berlin. It so happened that in 1936 Sparte I and Sparte II each prepared a war game and that Vermittlungsstelle W, Berlin, then raised the question whether Sparte III ought not to do the same. However, in spite of this request to arrange for war games, Dr. Gajewski was opposed to it and, therefore, no war games were arranged by Sparte III at that time.

Later on, too, when we were again approached with requests to stage war games,

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no war games were arranged by Sparte III, owing to Dr. Gajewski's objections.

(signed) DR. HARRY MEYER

Gendorf, 11 January 1948

I heroby certify that the above signature was affixed by
Dr. Harry Meyer himself before me this day.

Gendorf, 11 January 1948

(signed) DR. WOLFGANG ALT

(Dr. Wolfgang Alt)

Assistant Defense Counsel

Enclosure

- (1) Text of a letter of Carl Meyer, Assistant Defense Counsel, addressed to Dr. Harry Meyer, dated 9 January 1948, concerning questions dealt with in the above affidavit, and
 - (2) text of Dr. Harry Meyer's reply, dated 11 January 1948.
-

- (1) After the Prosecution's case in chief against former leading executives of the I.G. Farbenindustrie had been concluded, the Prosecution summarized the lines of its case in chief in a detailed brief and referred to items which it considered relevant. In this connection, Vermittlungsstelle W was again pointed out as an example of the close co-operation existing between I.G. and the Wehrmacht and of the part played by the I.G. in the rearmament program in regard to the aggressive war plans allegedly known to the I.G., and furthermore, as an example of the activity the I.G. exercised in the field of the so-called mobilization plans and war games.

In view of the fact that you were the representative of Sparte III with the Vermittlungsstelle W, since the creation of this organization and, consequently, are particularly well informed on questions handled within this Sparte, I should be grateful to you if you would kindly answer the following

questions in a short affidavit.

- 1) What part did Vermittlungsstelle W play in connection with Sparte III; did the Sparte management attribute any substantial significance to it ?
- 2) What tasks were handled by the Vermittlungsstelle W for Sparte III ?
- 3) What was the extent of this activity and to what extent did it concern you, who were primarily the Chief of the department for economy control (Wirtschaftlichkeitspruefung) ? How many assistants did you employ for this purpose ?
- 4) Did you, in your capacity as representative of Sparte III with the Vermittlungsstelle W, also protect the interests of the Konzern corporations which were technically attached to this Sparte, such as, for example, the Dynamit Aktiengesellschaft, formerly Alfred Nobel & Co. in Troisdorf ?
- 5) How were mobilization plans handled ? Did Sparte III show any substantial initiative of its own in this respect ?
- 6) Did these mobilization plans or, as they were called later on in the war production orders or assignment orders (Belegungsplaene), apply to the total production of Sparte III, i.e. photography, spun rayon and artificial silk ?
- 7) Was collaboration with the Wehrmacht of an extent which could be considered substantial within the scope of Sparte III,

in view of the fact^{that} its plants produced exclusively photographic and textile products ?

- 8) Were so-called war games ever arranged at all by the works of Sparte III ? If so, when and in what manner ?

I should appreciate your early reply in the form of an affidavit with certified signature.

- (2) In conformity with the request in your letter of 9 January 1948, I enclose herewith the affidavit requested by you. May I add that, some considerable time ago, I was interrogated by the Prosecution on the same subject and deposed an affidavit, which, in my opinion, constitutes an exhaustive and true presentation of the facts. This statement was obviously not used in the course of the trial, otherwise it would have been known to you. I therefore considered it the most correct procedure to summarize, on the basis of the data available to me, the explanations contained in the various statements deposed by me at that time, to such extent as they are of interest to you in accordance with your questions, and to formulate the text of the enclosed affidavit accordingly. I do not consider I am able to formulate my statements concerning these questions in a different or better way than I did when answering the questions of the Prosecution.

Affidavit.

I, Adalbert FEINDEL, of 150 Argentinische Allee, Berlin-Zehlendorf, having been duly advised that I shall render myself liable to punishment by making a false statement, herewith depose on oath that my statement is true. It was made to be submitted in evidence to Military Tribunal No VI, Palace of Justice, Nuernberg, Germany.

Dr. GAJEWSKI went to Paris with Herr Wilhelm OTTO and myself at the suggestion of the Reich Ministry of Economic Affairs in order to conduct negotiations with Kodak/Pathé on marketing and import problems. The trip took place in November 1940.

At the beginning of the negotiations the representatives of Kodak/Pathé complained that the German authorities (Kommando-Stellen) had prohibited the delivery of coal to them; they had only three days' supplies left, after that several hundred workers would become unemployed. Dr. GAJEWSKI thereupon arranged for the resumption of delivery of coal to Kodak/Pathé so that the factory could continue working.

In order to satisfy the Reich Ministry for Economic Affairs the negotiations with Kodak/Pathé were somewhat dilatory in character, and it was not until some later date that they led to a gentlemen's agreement. This gentlemen's agreement merely confirmed the import regulations of 1938 with regard to unprocessed positive cine film. No arrangements were made on the treatment of the amateur photographers' business.

Dr. GAJEWSKI as well as other important administrative officials of IG Farben Agfa refused consistently to take over as trustees Kodak/Pathé or Kodak, Berlin-Koenigsberg. It was because they took up that attitude on principle that they refused to exert any influence on production or trade of Kodak enterprises. As far as I know, Kodak had no cartel agreement with IG Agfa apart from an earlier temporary price agreement with regard to the unprocessed film trade with Russia and from the price control agreements commonly known in the photographic industry.

Berlin, 17 November 1947.

Adalbert FEINDEL.

(Value: 10 000.—)

No. 254 of the register for 1947

I herewith confirm and certify that the above is the signature of Herr Adalbert FEINDEL, of 150 Argentinische Allee, Berlin-Zehlendorf, and was appended before me, Dr. VIERECK, solicitor and notary, at Berlin on 17 November 1947.

Dr. H. VIERECK, notary.

Notary in the Kammergericht's area Dr. Hans VIERECK (Stamp)

Costs (regulations of 25 November 1935)

value: 10 000.— RM

1) Fees articles 141, 26, 39	8.— RM
2) Dues article 52	8.— RM
3) Turnover tax	— .48 RM
	total 16.48 RM

Notary: Dr. H. VIERECK.

Affidavit.

I, Hans JOERSS, born 9 February 1899 at Sonsbeck Kreis Moers, of No 2 Lobmachersen bei Salzgitter, having been duly advised that I shall render myself liable to punishment by making a false statement, herewith depose on oath that my statement is true. It was made to be submitted in evidence to Military Tribunal No VI, Palace of Justice, Nuernberg, Germany.

Until 1942 I was Welfare Officer (Sozialreferent) for the works combines Berlin and Central Germany. I was stationed at Wolfen. I am ⁱⁿ a position to state the following with respect to the accommodation and food for foreign workers in the film factory at Wolfen of which Dr. GAJEWSKI was the Betriebsfuehrer:

In the camps foreign workers received so-called full rations or part rations. The ration scale laid down by the authorities for "full rations" which every foreign worker could have if he so desired, lay somewhere between the ration scale for overtime workers and that for heavy workers; it was therefore higher than that for ordinary German workers in similar circumstances.

The foreign workers invariably received the rations which were due to them. Dr. GAJEWSKI had assigned to me the duty of ensuring that they did by means of frequent surprise inspections. Dr. GAJEWSKI himself carried out surprise inspections of the various billets and tasted the food and checked accommodation, sanitary installations, and other similar matters. On these inspections I frequently accompanied him.

I know that Dr. GAJEWSKI was particularly anxious that foreign workers should be treated decently and should be adequately housed and fed. He pointed out to his subordinates again and again that it was their duty to achieve that object. In addition he constantly tried to find ways and means of supplying the camp inmates with unrationed food, to improve their clothing by issuing products of the film factory (textiles) and to beautify their billets.

Nuernberg, 5 December 1947

Hans JOERSS

(signed: Hans JOERSS)

I herewith confirm and certify that the above signature is that of Herr Hans JOERSS. of Lohmachersen bei Salzgitter, and was appended today before me, Carl MEYER, assistant defense counsel at the American Military Tribunal at Nuernberg (Case VI).

Nuernberg, 5 December 1947

Carl MEYER

(signed: Carl MEYER).

Dr. H. PERSCHMANN
Halle (Saale)
Am Birkenwäldchen 6.

Affidavit.

I, Dr. Hans PERSCHMANN, of Halle/S, am Birkenwäldchen 6, was appointed head of the welfare department Wolfen of the IG Farbenindustrie Aktiengesellschaft at Wolfen, Krs. Bitterfeld, ^{by Dr. GAJEWSKI} with effect from 1 October 1942, although he knew that I had been forced to resign from the office of head manager of the Chamber of Industry and Commerce at Halle in July 1942, because the Gauleiter and the NSDAP no longer trusted my political opinions.

Connexions between Dr. GAJEWSKI and myself were purely of a business nature; I am related to Dr. GAJEWSKI neither directly nor by marriage.

As head of the welfare department I frequently came in touch with Dr. GAJEWSKI in the course of my duty. I attended for example the weekly meetings of the directorate in the Wolfen film factory; apart from that I had interviews with Dr. GAJEWSKI on several occasions, when I reported to him on all kinds of welfare problems which arose at the time, asked for his approval for proposals on my part or listened to his suggestions and received his instructions, concerned almost invariably with the modification of national socialist demands or tendencies.

Exh. No. _____

EXHIBIT No.

because I had the impression as if we were both secretly members
of an underground movement against National Socialism, as I indeed
was, being a member of the so-called secret movement. I learned in
the course of time that Dr. WGAJEWSKI associated with
the men of the Verbotene Partij, who later on became known as the
Gestapo of the time at the end of 1933. He was also active in
the "Duitsche Volkische Beweging" and other groups, especially those
connected with the events of 30 July, Gajewski. I was later included

in these negotiations and was notified that I was to take up the
In my presence Dr. GAJEWSKI unreservedly expressed in strong
problems concerning the Vermittlungsstelle W on behalf of Sparte III.
was his opposition to the Nazi ideology and to HITLER's criminal
I should like to state here that Dr. Gajewski always maintained a
war, which he considered as lost at that early date, as did I.

certain distance from the Verbindungsstelle I. He was anxious for
In the meetings of the directorate Dr. GAJEWSKI's anti-Nazi
me to remain in Wolfen and not to be transferred to Berlin perma-
attitude also showed but in a different manner and not quite so
nently. It is easily understandable that, in this way, he was in a
openly.

better position to control the situation. In addition, I also had the question of foreign workers was frequently discussed at the work with the Sparte office and therefore was unable to leave, these meetings because the head of the welfare department of the plant and to report on it. Dr. GAJEWSKI who did not attempt to his opinion to the financial questions, Dr. Gajewski stated, as far as I remember, that he intended to participate only with a 15% share in the expenses incurred by the Vermittlungsstelle in Berlin. I myself visited the Vermittlungsstelle V at irregular intervals, sometimes once a week and sometimes not at all for a period, because the handling of the regular Sparte III business required frequent journeys. I myself

Not only did he therefore demand that the best accommodation and food possible in the circumstances should be provided in the Wolfen plant but he himself saw to it that the head of the welfare department of the plant procured additional supplies of food for the foreign workers' cookhouses. Dr. GAJEWSKI moreover viewed with favour the establishment of craftsmen's rooms the expenses for the furnishing of which were approved unconditionally. As far as possible textiles produced in the factory were issued for the manufacture of underwear for foreign workers. The works theatre which was under my charge was also made available for shows for the foreign workers in accordance with Dr. GAJEWSKI's principle that foreign workers be treated like German workers.

The fact that foreign workers had to be sent for treatment to the plant doctor in the IG hospital when they became ill, and that serious cases were admitted to that same hospital, also bears witness to Dr. GAJEWSKI's attitude.

At their place of work the foreign workers worked under the same conditions as did the German workers. In order to overcome language difficulties, text books were provided for the foreign workers in the camps.

Dr. GAJEWSKI was extremely displeased at having to take prisoners into the plant and he would have preferred it, had it been possible, to refuse to take them. It was entirely due to the shortage of workers

that he did not object to negotiations between the security officer and the SS Camp Administration at Ravensbrueck on the employment of prisoners in separate departments of the film factory, the decisive point being that the directorate and the factory were responsible neither for feeding nor for supervising the prisoners. Nevertheless additional supplies of food were procured for the prisoners by the factory on Dr. GAJEWSKI's orders. But in the discussions of the question in meetings of the Directorate Dr. GAJEWSKI turned down the request of the SS camp administration authorities that the film factory should supply suitable men from amongst its employees to guard the prisoners.

As far as Dr. GAJEWSKI's attitude in questions of social policy was concerned it was significant that the Gauloitung of the DAF avoided ^{him} and the factory in contrast to other large enterprises until well into the war, because Dr. GAJEWSKI refused to take orders from the representatives of the DAF. On the other hand the welfare institutions of the factory were so outstanding that the DAF who would have liked to claim that such was due to its suggestions, did not find a lever for its measures. It was only when foreign workers were employed, for whom the DAF was responsible as a matter of course, that its representatives got in touch with the plant and its head.

On the strength of all that, and from my own knowledge of camp installations, of the treatment meted out to foreign workers at Wolfen and in other plants of the Sparte, e.g. in Robinson, Rottweil and Premnitz, I always had the impression, that everything was done for the foreign workers

to make them feel happy, and I knew that Dr. GAJEWSKI was responsible for that, who saw in every foreign worker first and foremost a human being, irrespective of his nationality, who was entitled to be treated humanely. He did on the other hand expect them to work well, but such work was rewarded exactly as it was in the case of German workers.

Dr. GAJEWSKI frequently outlined that point of view to me while I was working under him and it was entirely in keeping with the simple human personality which I had found him to possess.

I, Dr. Hans PERSCHMANN of Halle/S, am Birkenwäldchen 6, having been duly advised that I shall render myself liable to punishment by making a false statement, herewith depose on oath, that my statement is true. It was made to be submitted in evidence to Military Tribunal No VI, Palace of Justice, Nuernberg, Germany.
Halle, 6 November 1947.

Dr. Hans PERSCHMANN

I herewith confirm and certify that the above is the signature of Wirtschaftsberater Dr. Hans PERSCHMANN, of Halle/S, am Birkenwäldchen 6.

Doc. Roll No 1132/1947

Halle/S, 6 November 1947
Johannes GROBE, notary.

Johannes GROBE

Notary in the Oberlandesgerichts area Halle/Saale 1935)

Costs. (Article 154 of regulations dated 25 November 1935)

Value: RM 1 000.--

1) fees articles 141, 26, 39	RM 2.--
2) turnover tax - 3%	RM 0.06
total	RM 2.06

notary.

A f f i d a v i t

I herewith declare upon oath that Director Dr. Gajewski in his capacity as chief of the Sparte III of the I.G. Farben A.G. gave me the following strict directives in regard to the treatment of foreign workers of the Landsberg/Warthe plant:

- 1.) He enjoined me to see to it that, regardless of the cost, the foreign workers employed by us were fed and taken care of in such a manner that no complaints whatsoever would be raised. My guiding principle was to be that it would be the greatest and best propaganda for Germany and the I.G. Farben, especially after the war, if the workers employed by I.G. Farben had been happier there than in their home countries.
- 2.) I was to extend the camps, regardless of the cost, so that the workers would like being there and would not have the feeling of being in a labor camp. The rooms were to be comfortably furnished and decorated. Day rooms and mess rooms were to be built and were to be furnished as comfortably as possible in war time.
- 3.) Care was to be taken that no excesses of any kind occurred. We were always to remember that we expected from the foreign workers for Germany

an output which could only be achieved through good food and treatment.

4.) When I arrived in the Spartenwerk at Welfen, after my escape from Landsberg and reported to Director Dr. Gajewski on the attitude of the Party to the I.G. and the population of Landsberg, he openly gave me to understand his strong negative attitude towards the Party. That happened every time I came there for a report and I myself was surprised that Dr. Gajewski in his position dared to state his opinion so openly and unrestrainedly. He commented on this himself shortly before the arrival of the Americans at Welfen, when he told Director Riess and myself to inform the inhabitants at night to hoist the white flag from the windows.

This affidavit may be submitted at any time to the Nurnberg Trial.

signed: GUSTAV ADOLF WVN BECK

Document No. 274 (?) for 1947

The undersigned Josef Ciffermanns, Doctor of Law, Notary in the Oberlandesgerichtsbezirk Duesseldorf, whose office is at Dornagen, herewith certifies that the above signature is that of Herr Gustav Adolf von Beck, chief of the Works Security Detachment (Werkschutz) and Department Chief, residing at Dornagen,

Moltkestr. 8

Darmagen, 16 August 1947

signed: Dr. Cffermanns

Notary

Dr. jur. Joseph Cffermanns
Notary at Darmagen
(Stamp)

Charges:

Paragraph 154 of the fee tariff of 25 November 1945
Value RM 3.000.-

Rate of fees Paragraph 144, 26,39
Turnover tax

RM 4.-

-.12

Total RM 4.12

The Notary

signed: Dr. Cffermanns

Q u e s t i o n n a i r e

Questions concerning the Treatment of Foreign Workers

- 1.) When and in what capacity were you at the Welfen-Filmfabrik
as Minister?

From 1934 to 1947 I worked at Welfen as priest of
the Catholic parish.

- 2.) During the war did you have occasion to observe foreigners
from Czechoslovakia, Poland, France, Belgium, Holland, Russia,
Yugoslavia, Greece who were working there?

The foreign workers visited the church very regularly
to attend church services or to pass an hour in quiet
worship.

- 3.) Did you have occasion to speak with the people?

Frequently? . . yes. seldom?
Privately? . . yes.
In the presence of supervisory personnel? no

- 4.) What was the state of nourishment of the people?

not good

Could it be compared with that of the German civilian population
or not?

The state of nourishment of the German civilian population
was not good either.

- 5.) How were the people clothed?

Many arrived poorly clad but were seen wearing good
clothing which was sent to them from home. In the factory
they received working clothes.

- 6.) Were the people allowed to circulate in the place freely?

Yes.

- 7.) Were the people allowed to shop in German stores?

Yes.

- 8.) Did the people have the opportunity to attend church services?

Yes.

9.) Were the people allowed to go to the movies?

Yes. Only Poles and Eastern workers were not allowed to go. But they went too, after having first removed the insignia "P" and "Ost".

10.) Did you talk with foreign workers who were employed in the Filmfabrik?

Yes.

11.) Did you talk with foreign workers who were billeted in the camps of the Filmfabrik?

Yes.

12.) What did the people say about the treatment and the work in the Filmfabrik?

They never complained.

13.) What did the people say about the accommodation in the camps located in the vicinity of the Filmfabrik?

They were satisfied.

14.) Were there any dining halls, sick-bays, maternity wards, washrooms, medical attention in these camps?

Yes.

The women were confined in the lying-in ward of the I.G. Hospitals. Sick persons were taken to the hospital in good time, where they were nursed by trained personnel and deaconesses.

15.) Were there any performances in the camps for the entertainment of foreign workers?

I do know that performances were given in the Marie Camp. What the position was in other camps, I do not know.

16.) Were there any performances given for foreign workers in the theater of the Filmfabrik?

I do not know.

17.) What did you get to know about the food which the foreign workers received there?

The Filmfabrik did everything that could possibly be done. Thus the various nationalities had cooks of their own who were able to carry out the wishes of their countrymen.

- 18.) Do you know that some of the foreign workers could do their own cooking in their own rooms?

Yes. They also had their German fellow workers and families with whom they were acquainted cook for them.

- 19.) Were some of the foreign workers accommodated in private billets with Welfen inhabitants?

I know that this positively was the case with Frenchmen, Belgians and Czechs.

- 20.) Do you have any information as to how the foreigners were billeted, fed or clothed, as compared with Germans (same huts, etc.)?

In my opinion everything was done in order not to treat the foreigners worse than the Germans.

- 21.) Did you personally have an opportunity of entering the camps located in the vicinity of the Filmfabrik?

In cases of illness.

If so, what was the impression you gained?

The camps were always clean and tidy.

- 22.) Did the foreign workers say that they were issued with clothing, sanitary towels etc. by the works or in the camp?

Yes.

- 23.) Was work in the Filmfabrik described as easy or hard?

Nobody complained.

- 24.) Did people complain about bad or unjust treatment at the Filmfabrik?

No.

Did they complain about mistreatment or punishments at the Filmfabrik or in the camps in the vicinity of the Filmfabrik?

No.

25.) Was the number of deaths

high?

low?

normal?

Normal.

26.) Do you know of any instance where, after the Americans marched in, foreign workers attacked plant managers or other supervisory personnel of the Filmfabrik because of bad treatment?

No.

27.) Did you, after the American occupation took place, hear foreign workers complain about bad treatment on the part of the Filmfabrik and its officials?

No.

28.) What was the general attitude of the foreign workers towards the Filmfabrik?

Good.

29.) Did you gain the impression that the plant management of the Filmfabrik did everything, as far as was possible in the Third Reich, to ensure that the foreign workers employed there, could live as befits a human being and that they received decent treatment?

I have the impression that the Filmfabrik did everything possible. To give an example: As soon as a batch of several hundreds of Polish girls arrived, the Filmfabrik informed the Pastorate and asked to be notified as to the hours of the church services. At first arrangements were made for a special Sunday service. Later on, by order of the Political Police, only one church service could be held every four weeks. But the Filmfabrik did not have anything to do with such measures. The same was also true of other fields. The plant management of the Filmfabrik, beyond all doubt, did everything in order to

ensure that the foreign workers could live as human beings and were treated as such.

Magdeburg, 22 August 1947

I answered the above questions on oath by appending my signature in the presence of the Notary, Hermann Brecht, Magdeburg.

I know that this statement is intended to be used at the Military Tribunal in Nuremberg in order to establish the facts.

signed STEPHANUS HUPPERTZ, Priest

Number 205 of the 1947 Document Register.

I hereby certify the above signature of Pfarrer Stephanus Huppertz of Magdeburg-S.C., Repkewstrasse 2, as being authentic. As identification Herr Huppertz produced his registration card issued by the 13th Police District, Magdeburg, on 27 June 1947 - No. 190 51 - (190 51)

Magdeburg, 22 August 1947

signed: HERMANN BRECHT

Notary

Hermann Brecht
Notary in the District
of the High Court of Appeal
(Oberlandesgericht)
Halle/Saale
(Stamp)

Costs

Value RM 20/-

1. Fee per Arts. 144, 26, 39 RKG
2. Turnover tax 3%

RM 2.-

RM -. 06

RM 2.06

signed: BRECHT
Notary

I, Oskar HESSEL, domiciled at Essen-Margaretenhoehe, Winkelstrasse 17, after having been warned that I shall be liable to punishment for making a false affidavit, herewith declare under oath the following, which statement I understand is to be submitted to the American Military Tribunal in Nuremberg:

On 17 February 1942 I received a written order from "VEREINIGUNG LAGERGEMEINSCHAFT MARIE e.V." (MARIE Association of Camp Communities) at WOLFEN-BITTERFELD to make a movie on a substandard film of about 300 metres in length, which it was intended should show how the foreign workers who worked in the I.G. plants at WOLFEN and were housed in the nearby MARIE Camp, lived - what they did, how they were billeted and fed, what they did in their leisure time.

I accepted this commission. In order to obtain a true picture of the conditions in the camp and as far as possible, to take true to life, unfaked shots, I lived in the camp with the foreign workers for eight days from 23 February 1942 and again from 27 July 1942 for another few days and ate the same food with them. When the pictures were completed, I delivered the film - the negative and the only copy - to "VEREINIGUNG LAGERGEMEINSCHAFT MARIE e.V." I, therefore, no longer have a copy of this film. But I still remember these pictures clearly and the impressions I gained in the camp.

In view of the fact that I spent over 10 days in the camp, on two occasions, once during the winter and once during the summer, and slept and ate there, I was able to see things at first hand and gain a particularly comprehensive idea of conditions there. I was told, that the camp at that time housed over 5000 foreign workers, chiefly French, Italians, Spaniards, Czechoslovakians, Yugoslavians, and Russians who were French citizens. I gained the impression of a large, clean town with separate quarters, subdivided according to nationalities, with large spaces between, laid out in gardens full of flowers. The roads were wide, lined by newly planted trees and paved with large flagstones. This camp-city possessed not only its administration buildings, but also its own theater for festivals, as well as many handicraft workshops and libraries. There was also a large hospital, which at that time had just been completed, a laundry, a disinfecting station; there was even a swimming bath and air raid shelters.

The foreign workers were grouped according to their nationality and were housed in a number of large, modern huts. Most of the huts had a central corridor running through the whole length of the hut, on both sides of which were the living-rooms. These were comparatively spacious rooms, and were occupied, sometimes by 5, sometimes by 12 persons. The beds, which were arranged one above the other, -never more than two tiers-, were placed along the walls.

These were painted in light oil-colours, and in the middle a space was reserved for tables and chairs. This provided the actual living-room for the small community. On the walls above the beds the workers had hung their personal photos and pictures. The washing installations in the huts, which I also filmed, were clean and adequate, and the same applied to the W.Cs.

The catering was organized in such a way that there was a large, central dining-room. But most of the foreign workers had their meals in special dining-rooms, with which each national section was provided, or in their own rooms. Apart from these dining-rooms which had been placed at the disposal of the different nationalities, each section had a canteen. The whole arrangement gave the impression of a large inn. Furthermore, there were special kitchens where anybody could prepare for himself additional dishes according to his special taste. In fact, these individual kitchens were crowded the whole day long by such "individual cooks." But I also observed, that the official bill of fare was adapted to a great extent to the particular taste of each nationality. The Italians for example got their spaghetti and macaroni with cheese and tomato sauce. Once when I had spaghetti with the Italians, a piece of cheese of "peace-time" size was served with it. I also saw the French drinking red wine, and the Italians drinking from their famous basket-flasks. The other nations too received a great many of their national dishes. Generally speaking, the food was considerably in excess of the rations which the German population was receiving at that time.

It could in some way be compared with the rations which the miners receive to-day, except that there was more variety and the quantities were larger.

I observed that each nationality had its own Camp Leader whom his countrymen could approach with their small worries and questions - such as illness, and terms of engagement.

The state of health within the camp appeared to be normal and good. Medical care and treatment in the new hospital, which was also shown by the film, appeared to be efficient and modern.

As to the organization of leisure, everybody could do what he pleased. Everyone was free to decide whether he wanted to amuse himself in the town, read in his room or play cards, chess or similar games with his colleagues or join in with the general arrangements in the theater. I myself visited a Variété performance which was given by an outside troupe. Also while I was there a concert was given by an orchestra from WOLFEN. The foreigners liked to take part in the musical arrangements, especially the Italians.

Of course, I was constantly in touch with some of the foreigners, as I had to enquire about the light for my pictures, and when I could take their pictures in the rooms. Most of them approached me of their own accord, because they had some special wishes concerning group and single pictures.

GAJENSKI No. 16

Exhibit No.

Thus I was able to talk to a great many of them. They were without exception in good humour. It was much impressed by the success achieved in creating and maintaining an atmosphere of harmony and contentment within the camp. This was obviously due to the great attention which had been given to the 'various' national customs, and which I had had occasion to observe.

Essen, 3 January 1948.

signed: OSKAR HESSEL

I herewith certify that Herr Oskar HESSEL of Essen - Margaretenhoche, Winkelstrasse 17, known to me in person, has to-day signed the above document in my presence.

Essen, 3 January 1948.

signed: Dr. ERNST ACHENBACH

(Dr. Ernst Achenbach)

Defense Counsel at the Military
Tribunal in Nuernberg.

Declaration.

I, the undersigned, Adrian Adolf SCHOEVERS, born on 18 April 1920 at The Hague, Holland, affirm on oath that the following facts are true. I also declare that I am a Dutch subject and that I have never belonged to the NSDAP or to any of its affiliated organizations.

Compelled by political circumstances, I had during the Second World War to take up work in Germany on 19 July 1943, and was sent to the Agfa Film Factory at Wolfen, in the Bitterfeld district, which was under the management of Dr. F. GAJEWSKI, to work in the scientific central laboratory of Prof. Dr. J. EGGERT.

To my great relief I found that the treatment meted out to me was humane and gave no cause for complaint. But I was not an exception, as quite a number of foreigners besides myself were working in the same laboratory.

When in March 1945 the English and American troops reached my native town, Amsterdam, I had to think about my parents, who perhaps needed my assistance.

Therefore, as soon as I heard that a train was leaving for Bremen, I made up my mind to avail myself of this chance to travel and to reach my home in Holland from Bremen, either on bicycle or by walking through the front lines.

GAJENSKI No. 17

Exhibit No.

All I needed was a railway-ticket. In order to get one I had to have a certificate from the Labor Office at Bitterfeld.

My chief, Prof. Dr. J. EGGERT, happened to be absent on 7 April 1945 and as I still had only two hours, I went to Dr. H. MEDIGER, Chief of the Patents Department, whom I knew from a few conversations, and asked him to help me.

He immediately contacted the Plant Leader, Dr. F. GAJENSKI, explained my situation to him and was immediately given authority to make out the required certificate. I now had all I needed and was able to return home as I had planned.

By giving immediate and explicit instructions, Dr. F. GAJENSKI had rendered me, an unknown foreigner, an invaluable service, which I shall never forget, and for which I am sincerely grateful. I should be very pleased if I for my part could now help him by this declaration, and if by so doing I could repay him in a small measure.

signed: A.A. SCHOEVERS Jr.

A.A. Schoevers Jr.

Bandoeng, 25 September 1947.

A.A. Schoevers Jr.,
c/o Dagoweg 51
Bandoeng (Dutch East India)

CAJENSKI No. 17

Exhibit No.

No. 5023.

I, the undersigned, Hendrik Jan Joseph LINERS,
Notary at Bandoeng, declare that I have clearly explained the
contents of this document to Adrian Adolf SCHOEVERS, private
person, residing at Bandoeng, and known to me, whereupon
Adrian Adolf SCHOEVERS in my presence put his signature in
his own handwriting to this document.

Bandoeng, 25 September 1947.

signed: H.J. LINERS

H.J.J. Liners

Notary (Rubber stamp)

Bandoeng

Wolfen, 11 August 1947

Questions of foreign labor.

I.

- 1.) The directives on the treatment of foreign labor were based on instructions from the labor allocation authorities. They were transmitted by the management of the firm or the Sparte to the Works managers or the social welfare departments. Constant reports were made to the management of the firm on the allocation of foreign labor.
- 2.) The individual works managers were responsible for the execution of the orders given. The same offices that dealt with German workers handled personnel questions for the workers in general.
 - a) The engagement of workers took place on the basis of the instructions of the Labor Offices, who allocated the available workers in accordance with the urgency of the commitments on hand, in which, to the best of our knowledge, no distinction was drawn between Germans and foreigners.
 - b) Accommodation, catering and social welfare were the task of the social welfare department, medical care was in the hands of the factory doctors.
 - c) The pay office was responsible for handling wages; the instructions of the Plenipotentiary General for Labor Allocation were followed for the wage system. With the exception of the Eastern workers, the wages were the same as those of the

German workers. Later, the pay conditions of the Eastern workers were also approximated to the others.

- d) The allocation of labor to the plant was regulated in accordance with the number of posts vacant at the time. No distinction was made between German and foreign workers. They worked alongside each other.

3.) A large number of foreign workers was employed in the film factory. As already mentioned under Point 2.), the same offices that dealt with questions for German workers were responsible for the individual areas. The question is gone into in detail under Point 9).

2.) Billeting costs in the camp were fully borne by the works of the foreign workers, with the exception of those few who lived privately at their own expense and merely received the official prescribed daily accommodation allowance of 0.50 RM. The foreigners paid 1 RM per day for full board, which sum actually covered only the material cost of the food. The works paid the remainder of the costs also.

Additional expenses to the amount of 400 - 500 RM arise per worker per year for this purpose. This comprises in the first place the amortization costs for the camp buildings erected, as well as the costs for welfare, as for instance cultural events, moreover tailoring and hairdressing establishments were set up, which also required subsidies from the works.

(For details see enclosure). In accordance with the regulations, the married foreigners received a daily allowance of 1 RM, so that they did not have to use any part of their wages for their immediate accommodation and board. They were thus in a more favorable position financially than the German workers, who had to pay for their entire maintenance from their wages.

5.)

a) Despite the higher expenses, no steps have been taken to reduce the number of foreign workers employed.

b) The output of the foreign workers was in general equal to that of the German workers.

c)——

6.) Demands for workers were made by announcing labor requirements to the Labor Offices. On the basis of the demands made to the Labor Offices, the workers were allocated by the state in accordance with the urgency of the demand. The works were not allowed to influence the allocation of Germans or foreigners respectively according to nationality. There was not express demand for foreign workers. The allocation of the workers at the disposal of the Central Office took place exclusively from there. German workers who left because of call-up for military service or for similar reasons were predominantly replaced by foreigners, since a large number of German workers was not released in the district.

u7.) From the beginning of 1939 onwards the recruitment of workers abroad was carried out in accordance with the instructions and supervision of the Labor Ministry partly through commissioners on a voluntary basis. Later, the provision of labor was handled exclusively by the Commissioner of the Plenipotentiary General for the Allocation of Labor and the recruited workers were directed on the spot to the works, by the appropriate Labor Office. Works commissioners did not in any way collaborate in forced recruitment. In recruitment by the firm's commissioners, written contracts, in which the conditions of work were laid down, were concluded.

8.) In the film factory were employed :

- a) Civilian workers of various nationalities, recruited in Slovakia and the occupied territories in the East and West.
- b) Some Indian prisoners of war and Italian military internees (for numbers see Point 10). After a little while the latter were given the status of voluntary civilian workers and were put on the same level as the other foreign workers.
- c) Women Concentration Camp prisoners.

9.) a) The foreign workers were generally accommodated in closed camps set up by the works and divided into houses or hutments according to nationalities. German workers from abroad were not employed in large numbers, so that

the works did not provide accommodation for Germans. Foreign workers could also move into private billets at their own expense, with the exception of the Eastern workers and Poles, who were accommodated in closed quarters by an official ruling. Some of the foreign workers did actually avail themselves of this opportunity.

b) The foreign workers were in general fully catered for in the camps by the camp administration. The food ration portions were prescribed by the authorities. There was no difference between the amounts for Germans and foreigners. A difference did exist to a certain extent merely between the normal consumers - holders of food cards - and those who came under the communal catering in the camps. For the latter, applicable in our case only to foreigners the rations were somewhat larger, since their opportunities for purchasing supplementary rations were fewer. In both groups Germans and foreigners alike received the same portions for overtime and heavy workers. Only the Eastern workers received less rations for a time, but they too had supplements for overtime and heavy workers. The rations for the Eastern workers were, however, approximated to those of the rest of the camp later on.

Catering was improved for all those catered for in the camps by supplements of unrationed foods. Foreign cooks were employed in the camp kitchens, in order that, if possible, the preparation of the food should conform to the tastes of the individual nationalities

The Indian prisoners of war received special food corresponding to the meals to which they were accustomed, and prepared by an Indian cook.

c) Payment was made on the same basis as for the German workers, except in the case of the Eastern workers from whose pay the so-called "Eastern workers State tax" had to be deducted and paid over to the proper authorities. The Eastern workers' tax was later reduced for a time and finally removed altogether.

d) The hours of work were the same as for Germans.

e) German and foreign workers were employed together in various plants. We established at the time that the cooperation was good everywhere, despite the language difficulties which arose here and there.

f) The foreign workers had a share in the output bonuses in exactly the same way as the Germans. The output bonuses were paid exclusively in money as a supplement to the hourly pay.

10.) The foreign workers had a lower status only at the beginning in the case of the Eastern workers (as already mentioned, handing over of the deducted Eastern workers' tax to the Finance Office) where the instructions of the authorities had to be observed. Repeated discussions were held with the authorities with the object of bringing the status of the Eastern workers into line with that of the German workers, and finally contributed to the achievement of equal rights for the Eastern workers as regards pay and food.

11.) The offices entrusted with maintenance had instructions to improve the well-being of the camp inmates and thereby their pleasure in their work by material supplies. In the camp canteens there were, besides drinks, tobacco (the foreigners had smokers' cards like the Germans) and other commodities for sale, supplied by the buying department of the works. It was generally established that the provisioning of these camp canteens was better than that of the local shops, so that many German workers who had work in the camp, in recognition of the better and more satisfactory supply, did their shopping there. The camp canteens were run by the camps, so that sharp practice was out of the question. Particular attention was also paid to the question of clothing. Through lengthy discussions with the authorities concerned, we often succeeded in having large quantities of clothing released for the foreign workers, so that the needy could be furnished not only with working clothes but also with underclothing, street clothes and footwear. Here the Eastern workers were taken into special consideration.

There were in the camps large dining and recreation rooms, which were also available for every kind of gathering. The camp inmates themselves organized the smaller shows.

The big works theater was available for larger entertainments by troupes of artistes of various nationalities who were engaged. The German Labor Front, which also engaged the artists, organized recreation in accordance with the legal regulations. The expenditure for this is included in the general expenses listed under Point 4)

12.) Cases of discrimination against foreign workers did not reach the ears of the managers of the firm. Individual differences, which also cropped up on occasion between Germans, were dealt with in the customary way. To settle such occurrences there were foreign liaison men in the offices of the German Labor Front, who also supervised the accommodation of their fellow countrymen in the camp. There are unfortunately no written descriptions by the foreign workers with their own opinion on their stay. Complaints of a special nature have doubtless not been submitted to the American commander since the occupation, as in the discussions which were held particularly in the early days with the headquarters for the maintenance of the camp and the care of the inmates, no mention was made of the submission of complaints brought by the foreign liaison men. As contact with the foreign workers has not been maintained, any written data would probably be unobtainable by now.

13.) In the winter months, the camp inmates

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13.) In the winter months, the camp inmates

found the warmth in the huts, which all had central heating, beneficial in effect. It may also be assumed that a large proportion of the foreign workers from the East and South-West were receiving higher pay than they were used to.

14.) In the film factory were employed in 1944 about 4,500 foreign civilians, of whom about 70 were technicians and clerks, 30 Indian prisoners of war and 200 to 400 women concentration camp prisoners. The foreign workers included equal numbers of men and women. The number of foreigners was less in the preceding years. The number of the concentration camp prisoners, who had been employed since 1943 and who never amounted to more than 400, was reduced by half after the work was limited to the single sphere of employment in February 1945.

15.) The women prisoners were employed exclusively in various phases of operations in the fibre department. They worked on filter sewing, mercerizing cotton and crepe-doubling. They were in special segregated rooms and were guarded by women SS guards. They were accommodated in a specially segregated camp, built on the instructions of the camp management. Communication between the German personnel and the prisoners was forbidden. Working hours and food were prescribed by the SS. The catering corresponded roughly to that of the Eastern workers. We distributed unrationed food to these workers also.

Payment was made to the camp administration on the basis of shifts worked (4 RM per shift per head). The work was light, had previously been done by German women and could not be considered as war production.

Demands for concentration camp prisoners were not made through the Labor Office, but the prisoners were offered to the works by the Ravensbrueck camp management. The final decision on the allocation was agreed on by the then Security Commissioner with the SS Commissioner.

16.) The description of the firm's activity with regard to the recruitment and engagement of the foreign workers and their treatment has already been given under the individual points, so that special mention would be superfluous.

A g f a Film Factory Wolfen

Department of the Russian Aktiengesellschaft Photofilm

signed : Esselmann

signed: m.V. Dr. Schulze

Factory Board :

signed : Troitzsch

Expenses of the Housing Camp in the years 1939 - 1944

	1939	1940	1941	1942	1943	1944
	RM	RM	RM	RM	RM	RM
Marie Camp Community						
Part of the dyestuffs factory	88 805	139 237				
Housing camp and worker's homes			370 214	1 212 072	2 228 002	2 641 076
in these figures are included the details for :						
Kitchens and canteens (Food, drink and tobacco goods, goods on sale in the canteen, ration supplements)	-	-	-	66 134	38 143	123 001
Factory laundry and detergents	-	-	6 006	10 341	28 024	19 107
Working clothes, underclothes	-	-	1 112	36 494	2 895	2 905
Books and papers	-	-	15	407	4 503	5 445
Medical examinations, medicines, dressings	-	-	-	120	951	922
Infants welfare	-	-	-	-	571	3 640
Room decoration, camp maintenance	-	-	372	88	576	486
Free travel home, separation and overnight allowance	-	-	-	783	16 947	15 567
Social evenings, theatrical performances and other entertainment	-	-	-	342	4 448	13 532

Commercial Department
Plant expensed account

Wolfen, 7 August 1947

Continuation

Expenses of the Housing Camp in the years 1939 - 1944

	1939	1940	1941	1942	1943	1944
	RM	RM	RM	RM	RM	RM
Subsidies and minor payments	-	-	-	-	91	253
Housing camps for families	-	-	-	-	7 535	18 020
Auxiliary facilities - tailor, hair- dresser, cobbler	-	-	-	-	-	19 451
Accommodation for foreign employees	-	-	-	-	1 504	3 276
Air raid protection arrangements	-	-	-	4 159	96 983	337 602

A F F I D A V I T .

In connection with the report of the Film Factory Wolfen, Division of the Soviet Aktiengesellschaft for Photographic Film, I declare the following on oath, knowing that I shall make myself liable to punishment by making a false statement:

In my position as Assistant Defense Counsel at the Military Tribunal VI in Nuremberg for the defendant Dr. GAJEWSKI, I sent a questionnaire to Dr. ESSELMANN about the allocation and treatment of foreign workers, prisoners of war and detainees. It is known to me that until the end of the war Dr. ESSELMANN was manager of the I.G. Farbenindustrie in Wolfen and chief of the rayon division. After the occupation of Wolfen by Soviet-Russian troops, he was appointed by the Russian Military Government as manager of the entire film factory.

On the occasion of a stay in the Rhineland, Dr. ESSELMANN gave me the carbon copy of a draft for an answer. He remarked that this answer was still with the present Works Council of the film factory in Wolfen and could be dispatched only after it had been approved by that body and countersigned by the chairman of the Work Council. Some time after I received a carbon copy of the report in question. No alterations had been made.

This copy still had an original note of Dr. ESSELMANN's office attached to it. According to this note, the copy had also been submitted to the Chief of the Welfare Department of the film factory, Dr. SCHULZE, for his attention and comment. Dr. SCHULZE, who together with Dr. ESSELMANN signed the letter which had been countersigned by the chairman of the Work Council, was also during the war the Chief of the Welfare Department of the film factory. This department had to deal directly with the problems of the allocation of workers, Germans as well as Foreigners.

On the occasion of a second stay of Dr. ESSELMANN in the Rhineland on November 29th 1947, I had a second conference with him about the report in question. On this occasion Dr. ESSELMANN told me that also the original of the report with all the actual signatures had been forwarded to me. I never received this, however, Dr. ESSELMANN could explain this only by assuming that it had been held back by some third authority or had been lost in the post. In answer to my direct question, Dr. ESSELMANN confirmed, however, that the copy which I had received was an authentic copy of the original report. Furthermore he confirmed that the contents were true and were based on the figures of the film factory as well as on his knowledge and that of Dr. SCHULZE as the chief

GAJESKI No. 19

Exhibit No.

of the division in question of the facts described therein.

Nuremberg, January 14th 1948.

signed: CARL MEYER

(Carl Meyer)

Lodging and Feeding of foreign workers in
the Agfa camps at Wolfen

State of Middle of April 1945

	<u>beds</u>	<u>inhabitants</u>
<u>Camp I</u> (Thalheimer Strasse)	ca. 2000	1700
chiefly males		
<u>Nationality:</u>		
Poles		
Italians		
Greeks		
French		
Czechs		
Dutch and Russian		
families		
<u>Camp II</u> (Thalheimer Strasse)		
for Russian women	900	600
<u>Camp III</u> (only for women)		
Thalheimer Strasse	700	600
<u>Nationality:</u>		
Ukrainians		
Poles		
French		
Greeks		
Belgians and Dutch		
Russian families		
<u>Camp IV:</u> (for Polish women)		
Am Wasserturm an der Jahn- strasse	800	700
<u>Camp V:</u> (for Russian families)		
Grube Johannes	400	350
	<u>Summa:</u>	ca. 4000

For Camps 1, 2, 3 and 5 the so-called "Lagerverpflegung" (full camp portions) was arranged. Food was prepared directly in the camps with assistance of inhabitants as cooks, distributors etc.

According to the regulations in force no difference in food portions existed whether the camp was inhabited by German or by foreign workers. The staff of the camp got no larger portions than any inhabitant.

Details of camp-portion in comparison with the portions for German civilians in ordinary day shift see below:

<u>for 1 week</u>	<u>camp portion</u>	<u>German civilians</u>
bread	3012,5 g	2225 g
meat	462,5	312
fats	213	210
potatoes	5000	3000
marmelade	187,5	187,5
sugar	218,5	218,5
cereals etc.	295	125

In camp 4 (Polish women) the inhabitants were provided with the ordinary ration tickets in the same quantities as the ordinary German civilians working in day shift. The camp inhabitants did their own cooking in cooking places set up in the barracks. Furthermore, they shared the "Werkverpflegung" (one hot meal per day) of the German workers during their shift in the factory.

A large proportion of the men got additional portions for hard work (Schwerarbeiterszulage) just as German workers in the same working places.

In the middle of April at the beginning of military action near the factory the following food stock was stored in the camps:

potatoes	75 - 80 000 kg	= 15 000 Ctr.
fresh vegetables	ca.	550 Ctr.

In the factory were stored another 100 Ctr. dry vegetables, intended to be consumed for camp feeding. These were the provisions for 30 to 40 days for the inhabitants of camps 1, 2, 3, 5 according to the actual food rates for German civilians. This stock has been marauded for the major part by foreign workers after the occupation. What is still left in store can only be checked up in visiting the camps.

Cereals, meat and fats were distributed by the local feeding authority (Ernährungsamt) for a period of 4 weeks. Meat and meat pudding, sausages, were purchased in fresh state. The portions for the current period had been delivered for the major part.

After the deliverance of the portions for 1 week there were in store in Camp 3 alone

	10 Ctr.	sugar
	3 "	marmelade
	270 "	1,5 kg broad leafs
	1 "	butter
0,64	"	margarine
	15 "	flour (wheat)
	1 "	oats
	1 "	noodles
	1 "	ground wheat
	2 "	flour (rye)

These provisions have been robbed too.

Further were stolen of provisions stored in the factory itself:

GAJEWSKI No.20
Exhibit No.....

139 Ctr. cereals
9 " fats
800 " potatoes
1 cow, butchered
1 horse, "
80,5" flour
3,5" sugar
6 " dry vegetables
0,5" vegetables, canned
9,5" marmalade
360 eggs

as well as coffee surrogate, tea, spices.

In addition there have been stolen according to a yet
uncomplete report in our farm Steinfurth, north of Wolfen:

4 cows
40 pigs
and all poultry.

I.G. FARBENINDUSTRIE
ANTHENGESSELLSCHAFT

GAJEWSKI No.20
Exhibit No.

Personnel of the Plant Wolfen - Film factory
and the average weekly working period for
the years 1940 to 1945

	1.1.1940	1.1.1941	1.1.1942	1.1.1943	1.1.1944	1.1.1945	1.III.1945
Total number of Employees	10 049	10 548	10. 675	11 361	11 502	11 674	10 604
White-collar employees	1 366	1 486	1 558	1 537	1 635	1 580	1 581
Workers	8 683	9 062	9 117	9 824	9 867	10 094	9 023
	m. f.	m. f.	m. f.	m. f.	m. f.	m. f.	m. f.
Germans	6397 3652	6130 3439	5794 2964	4899 2599	4210 2801	3789 2772	3611 2417
Foreigners	- -	614 365	968 949	1790 2073	2043 2448	2353 2760	2130 2446
Number of working hours per week Average	51	52			53		

Department for Economic Research - Dr. Mn.

Wolfen, May 24th 1945.

GAJEWSKI No.
EXHIBIT No.

CERTIFICATE OF TRANSLATION

23 January 1948

We,

Victoria ORTON	ETO No. 20129
Anne MARTIN	" " 20144
Beryl C. BESWICK	" " 20183
Julius STEUER	" " A 442654
Leonard LAWRENCE	" " 20138
Phyllis RAY	" " 36287
Patricia WOOD	" " 20139
Eugene R. KUN	" " D-429798

hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of Document Book 1 Gajewski.

Victoria ORTON
No. 20129
pp. 10-22
70-82

Anne MARTIN
No. 20144
pp. 1-9

Beryl C. BESWICK
No. 20183
pp. 31-34

Julius STEUER
No. A442654
pp. 48-57

Leonard LAWRENCE
No. 20138
pp. 58-66

Phyllis RAY
No. 36287
pp. 67-69

Patricia WOOD
No. 20139
pp. 83-94

Eugene R. KUN
No. D-429798
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Case 6
Defense

TRIBUNAL VI

CASE VI

DOCUMENT BOOK II

for

Dr. Fritz Gajewski

submitted by

the counsel for the defense

Dr. Wolfram v. Metzler

Attorney

Engel



Table of Contents to Document Book II
for Dr. Fritz Gajewski, Case VI

Gajewski-No.	Exh. No.	Contents	Page
21		Affidavit of Dr. Josef Huber, former manager (Leiter) of the Aceta Works of the I.G. in Berlin-Lichterfelde which belonged to Sparte III. He declares his wishes that Dr. Gajewski always expressed that to effect the foreign workers should be properly treated and their working and living conditions should be as good as ever possible. According to his observations, Dr. Gajewski took a great interest in the fate of the foreign workers.	1
22		Affidavit of the architect Loehard R o e ck, who, until April 1945, was manager of the construction department of the Filmfabrik Wolfen of the I.G. and as such, was in charge of the construction of billets for foreign workers in the Filmfabrik. The witness gives a fully detailed description of the structure of these camps. He describes the style of the huts stating the proportions accurately, the number of the rooms, the interior equipment like washing facilities, heating installations etc.; further the adjacent establishments like kitchens, sick bays, shoe-making and tailoring work-shops and canteens. The equipment of the camps was of the same standard as if they had been provided for German workers, and modern at that, and completed in peace-time fashion down to the last detail, in spite of the state of emergency and contrary to official instructions.	4
23		Affidavit of Dipl. Ing. Kurt R i e ss, Chef-Ingenieur of Sparte III of the I.G. in the Filmfabrik Wolfen until June 1945. The witness, in virtue of his particulars, has listed the sums expended in the years 1940 - Jan. 1945 for the establishment of billets for foreign workers in the works of Sparte III. The total amount runs to about RM 13 mill.. Taking the Wolfen Works as an example,	13

Gajewski No.	Exh. No.	Contents	Page
23(cont.'d.)		the witness proves that an average expenditure for each worker of approximately RM 1,600- for accommodation alone, results, to which were added also expenses for actual keep like feeding, clothing, organization of leisure time etc.	
24		Affidavit of Dr. Harald H a d i g o r, until June 1945 Director in the Filmfabrik Wolfen of the IG. The witness identifies the photo copy of the report on housing and feeding of foreign workers in the camps of the Filmfabrik Wolfen to the Commandant of the American Occupying Power in Wolfen which is contained in Doc. Vol. I Gajewski as Document No. 20.	19
25		Affidavit of Dr. Hans P e r s c h n i t z, former welfare advisor for the works combines Berlin and Central Germany, concerning Prosecution Document No. III-11063, Exh. 1399 in Volume 71.	21
26		Affidavit of Dipl. Ing. Kurt R i e s s concerning affidavit van Kol, Exh. 1402, Vol. 71. The witness declares that statements in this affidavit concerning the nature of the work, working hours, housing, feeding and treatment are not in conformity with the truth.	23
27		Affidavit of Dr. Bruno H i l l e n f e l d, plant doctor of the Filmfabrik Wolfen, concerning the medical care of foreign workers "Work's doctors were, in the same way, at the disposal of foreign workers as indigenous, as well as medical installations, too,..... Foreign out-patients were free to choose their own doctors As regards the condition of health of foreign workers and prisoners of war, the same standard was applied as in the case of German workers The General standard of health of foreign workers was extremely good". To the declaration is attached photo copy of van Kol's out-patients' sick-card.	30

Gajewski

No.	Exh. No.	Contents	Page
28		Affidavit of Dr. Wilhelm S c h n e i d e r, until 1945 director (Leiter) of several independent scientific laboratories of the Filmfabrik Wolfen, concerning the affidavit of van Mol, Exh. 1462 of the Prosecution in Volume 71, and, indeed, as regards the assertion of van Mol that Dr. Schneider bent foreign workers, which the witness designates as untrue.	35
29		Affidavit of Dr. Walter S c h n i d, manager of the Rayon Plant of the Filmfabrik Wolfen, relative to the same affidavit van Mol, to the effect that the assertion that Dr. Schuid also bent foreign workers is not true to fact.	37
30		Affidavit of Dipl. Ing. Karl K o o s s l i n - s e r, who was Betriebsleiter of the cellulose plant of the Filmfabrik Wolfen during the war and in whose plants prisoners of the Ravensbrück concentration camp worked. He confirms that these female prisoners did no heavy work and were free every 5th day. The feeding of the prisoners in the works was not worse than that of the Germans and foreign workers. The prisoners had done their work willingly and almost without exception had been industrious and docile. They had been on good terms with German supervisory personnel.	
31		Affidavit of Dipl. Ing. Hans R i c h t e r, former Chief Engineer of the Landsberg Works of Sparte III, of the IG concerning Prosecution Exh. 1400 in volume 71. Richter declares that the hut mentioned in this document was not provided for accommodation foreign workers but as a hut in which to stop to dress, wash and receive the warm meals distributed by the works, and, at that, actually only for a group of workers working in three shifts.	43

Gojewski
No.

Exh. No.

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Page

- 32 Affidavit of Dr. Wilhelm K a u s, 45
Director of the Firm Kalle & Co..
He declares that the allocation of labor and social problems, in the case of Kalle, were determined by local conditions and the measures of the labor allocation authorities under whose jurisdiction the firm came. "The manager of the Kalle plant at that time, at all events, its Vorstand, was responsible, in accordance with the law regulating national labor, to these labor allocation authorities for all questions connected with the employment and care of German and foreign workers.
- 33 Affidavit of Max G e r i s c h, from 1921 48
until the end of the war in charge of foreign workers and manager of the camps for foreigners of the Fa. Kalle & Co.,
relative to Prosecution Exhibits 1824 to 1828 in Volume 71. As regards Exhibits 1824, 1826, 1827 and 1828 which concern all measures against French male or female workers because of neglect of work, laziness, absenteeism from the camp etc., he confirms that legal obligation to intervene existed, that, however, the firm did everything in its power to manage with measures within the plant. These measures are quoted in detail. Such cases of laziness rarely occurred since the majority of foreign workers worked well and willingly because the firm did its best for them. In the case of Exh. 1825, it is a question of routine information concerning provisions relating to labor law for which there was no specific cause.
- 34 Affidavit of the former manager of the 53
Camera Works of the I.G. in Munich, Dr. Alfred L i n g, relative to Prosecution Exh. 1404 in Volume 71. Dr. Ling declares that Polish women detained in prison wished to continue to work in the Camera Works after they had served their time. The Regional Argument Office demanded, however, that

No.	Exh. No.	Contents	Page
34 (cont'd.)		in these cases a conscription for labor be effected by the labor office and declared that it would propose this conscription for labor itself. In this connection, he refers to a letter of the Camera Works to the competent prison dated 12 January 1944 which is attached to his declaration. The Polish women in question had been released from prison in an orderly way after they had served their time.	
35		of Affidavit of Georg R o t t n e r, Chief Master (Obermeister) in the Camera Works Munich. Polish women detained in prison were employed in the department of the witness. He remembers accurately that Polish women who were about to be released from prison tried repeatedly to become employed once more in the Camera works after their release from prison.	57
36		Affidavit of Dr. Alfred L i n d e r, who confirms, as regards the employment of concentration camp prisoners that the Special Committee responsible for the production of detonators intervened after the Regional Armament Office had failed to restore once more to the Camera Works the persons detained in prison who were employed on this production and had been withdrawn by the Department of Justice. This special committee had assigned the prisoners in question to the Camera Works.	58
37		Affidavit of Oberingenieur. (Senior Engineer) Gustav Z i e g l e r, until September 1945, Betriebsleiter, and, since then technical director of the Camera Works in Munich. The witness confirms the declaration of Dr. L i n d e r concerning the allocation of concentration camp prisoners to the Camera Works and declares that the Engineers Maier and Sachs were sent to Ravensbrueck to undertake an aptitude test there, since the greater number of prisoners sent, first of all, to Munich were not qualified for the work on hand because they had not good eyes, a steady hand and the capacity for technical understanding.	59

38	Affidavit of Ernst Sachs, Engineer in the Camera Works Munich, relative to the same occurrence. He declares that his visit to Ravensbrueck served merely the undertaking of an aptitude test as was usually in the Camera Works for German workers too. He can still remember vividly that the prisoners in Ravensbrueck pressed for acceptance for Munich.	61
39	Affidavit of Josef Bergmüller, manager of the wages office of the Camera Works Munich, in which the witness confirms by means of the wages card index of the Camera Works, that, in the period from September 1944 until the occupation of Munich by the Americans, the weekly working hours in the time-fuse department generally amounted, on an average, to about 54 1/2 hours, and that no work was done on Sundays.	83

AFFIDAVIT.

I, Dr. Josef HUBER, Berlin SO 36, Herkomerstr.5, as former manager of the I.G.Aceta plant, Berlin-Lichtenberg, belonging to Sparte III, which has been shut down since the end of the war for the dismantling of machinery, have first been duly warned that I will render myself liable to punishment if I give a false affidavit. I declare on oath that my following statement represents the truth and was made for the purpose of being submitted in evidence to Military Tribunal VI in the Nuernberg Palace of Justice, Germany.

Problems of labor allocation and the procurement of foreign workers connected with this were discussed in detail by Dr. GAJEWSKI at regular intervals in plant manager conferences of Sparte III of the I.G. The conferences took place at intervals of from 2 to 3 months. On these occasions Dr. GAJEWSKI not only gave instructions for the allocation of foreign workers, but also approved in a very generous way the necessary funds for constructing quarters and for other expenditures for the benefit of the foreign workers. Dr. GAJEWSKI always showed a lively interest in the reports of the individual plant managers concerning foreign workers. During his visits to the Aceta plant, Lichtenberg, he personally informed himself on working conditions, quarters and food, as well.

as the organization of the leisure time of the foreign workers, made suggestions and asked the plant management to do everything to make the position of the foreign workers easier and to treat them properly in every respect.

At the plant managers' conferences Dr. GAJEWSKI always expressed his desire that the foreign workers should be treated justly, that the working and living conditions of the foreign workers should be organized as well as possible and that every complaint by a foreign worker should be investigated; all cases of complaints were to be handled objectively and with understanding for the difficult position of the foreign worker. According to my observations and personal knowledge Dr. GAJEWSKI likewise did much to improve the situation of the foreign workers. In particular, the following measures are to be emphasized: procurement of additional food, health work and hospitalization, looking after foreign workers during air raids, financial and technical support of athletic and cultural activities in connection with the organization of leisure time. I should like to mention one incident in particular: On the occasion of the marriage of 4 young Russian couples I participated in the ceremony in my capacity as plant manager, made a speech and provided special entertainment for the young couples by issuing a special allotment of meat, pastry and alcoholic beverages. Because of the special arrangements made for this ceremony I received a very severe reprimand from the local Kreisobmann.

of the Labor Front. However, Dr. GAJEWSKI, who was thoroughly informed about this incident, approved my conduct as a matter of course.

Berlin, 10 February 1948.

signed: Dr.(phil.) Josef HUBER,
grad. eng.

Value: 10.000 marks -

No. 55

No. 55 of the Registry for 1948

Berlin, 10 February 1948.

The preceding signature of Dr.(phil.) Josef HUBER grad.eng., recognized by me as in his own handwriting, residing in Berlin SO 36, Herkomerstr. 5, was executed before me, the notary Dr. Hans VIERECK, Berlin-Schoeneberg, Nymphenburgerstr. No. 3 on 10 February 1948, which is hereby certified and witnessed by me.

signed: Dr. H. VIERECK
Notary

Dr.Hans VIERECK
Notary in the District of the Kammergericht
(Official seal)

Bill of costs:
(Costs Regulations of 25.11.1935)
Value: 10.000 marks

1.) Fees Pars. 144, 26, 39	RM. 8.00
2.) Travelling expenses Par. 52 "	8.00
3.) Revenue tax	" -.48
Total:	RM.16.48

The Notary

signed: Dr.H. VIERECK

AFFIDAVIT.

I, Leonhard ROECK, grad. eng. and architect, residing in Dessau, Albrechtstrasse 25 was superintendent of the I.G. Farbenindustrie Wolfen film factory, Kreis Bitterfeld, from March 1921 to April 1945 and as such was also in complete charge of the construction of cantonments for foreign workers, insofar as these were erected for the film factory.

On the basis of my former official position and knowledge of all local conditions I am in a position to give a true account of the construction of these camps and to depose this account as an affidavit.

The Wolfen film factory had erected the following cantonments for the foreign workers employed by it.:

- a) Camp I Men's camp west of Thalheimerstrasse,
- b) Camp II Women's camp connected with a), facing directly on Thalheimerstrasse.
- c) Camp III lying east of Thalheimerstrasse, that is, between Thalheimerstrasse and the film factory. Begun in 1944 and further construction started in 1945.
- d) Camp IV at the Johannes Mine situated east of the film factory.
- e) Camp V so-called Polish camp situated north of the film factory.

The capacity of the different camps is as follows:

- a) Camp I about 2500 beds
- b) Camp II about 625 beds
- c) Camp III was supposed to contain
1600 beds after final
completion, the number
actually in use was
about 700 beds
- d) Camp IV about 900 beds
- e) Camp V about 500 beds

Camp I, II, IV and V were camps with wooden barracks and part of the wooden barracks were erected on posts, part on a concrete base or brick foundation. The barracks had wooden floors; there were cement floors finished with wood composition insulation in the washrooms. The outer walls of these wooden barracks were double, the outside one covered with clapboards with a tarpaper lining, the inside one constructed of dovetailed planking. The windows were glass and had wooden shutters.

Camp III was built of stone with outer walls 25 cms. thick, plastered on the inside, with a concrete roof and waterproof coating. The rooms were separated from each other by stone walls 12 cms. thick, which were also plastered. The floor was solidly set on concrete and covered with wood cement sheets. The rooms were given a coat of water-color paint on the inside, all wooden parts being painted with membranite.

Both the wooden barracks and the stone barracks had a lavatory in the center; the living rooms opened directly on the outside through a vestibule.

The beds were arranged in the living rooms one above the other.

Each camp had an adequate kitchen plant with a spacious dining hall, which at the same time was furnished and partly painted as a community hall and could be provided with a movable stage when performances and recitals were offered to the camp members. The kitchen plant included the kitchen itself, each with 12 to 16 kettles according to the size of the camp and a large cook-stove, a special serving counter, an adequate vegetable and potato cleaning room with built-in or movable set - tubs, a scullery for the pots and pans and adjoining rooms for the servants. Beside the serving counter there was a special room for serving cold drinks (beer and seltzer) and for the sale of tobacco. The necessary camp cellar rooms for storing the winter supplies were large enough so that the entire potato supply including vegetables could be stored there. Moreover, in Camp I one of the wooden barracks was provided with special silos for storing potatoes.

Special barracks or at least parts of a barrack were installed in Camps I and III for so-called cold meals, with serving rooms and store-rooms for bread, making sandwiches, butter and sausage, etc. There were cold-storage rooms connected to refrigerating plants to preserve food which spoiled easily, such as sausages, butter, etc.

An official post office was installed in a special barracks; here incoming mail for the camp members was delivered out directly to them by The Wolfen post office, the camp members could likewise post their outgoing mail outside of the plant. There was a special cobbler's and tailor's shop, as well as a barber shop, in Camp I for the exclusive use of camp members. In Barracks No. 2 of Camp III these shops were intended to be generously furnished with mechanical equipment and accessible to members of all camps directly from the street.

An adequate delousing station for all camps was set up, next to the northern part of Camp II.

Sick camp members were admitted to special sick barracks, of which there was an adequate number in each camp. There were isolation rooms - in Barracks I a part of the barracks - available for patients suffering from contagious diseases. These sick barracks had special baths and toilet facilities, special operating rooms for the doctor and for the personnel. In the women's camp (Camp II) a maternity home with a special day-room was attached to the infirmary. The children born in the camp were cared for by special nurses.

The residential barracks were located at an average of 20 meters apart from each other. The courtyard between the barracks was laid out like a garden with trees and shrubbery.

The main streets were concrete, paved or of macadam and in part provided with sidewalks. As foot paths, the side streets to the individual barracks were of gravel and were reinforced.

Each wooden hut had 6 sleeping rooms. The wash room, which was in the middle of the hut, either had about 25 individual wash bowls or 3 wash fountains with 8 taps each. Special wash basins for laundry were also not missing. The sleeping rooms had an average size of about 46 meters in length and about 8 meters in width.

In Camp III a living hut consisted of 4 sleeping rooms with 20 beds each with 7.4 cbm of air space per bed and two further sleeping rooms at the ends of the barracks with 24 beds each, which had 7.1 cbm air space per bed. The beds were all double deckers. There was enough space for one closet per bed, as well as to sit at a table.

The latrines were near the sleeping barracks, in separate buildings, and provided with water for flushing. There was one toilet for every 20 persons. Urinating troughs were provided for the men.

Each camp had its special shower rooms, these were individual rooms or at times there were several installed in one room, as well as special tub baths which were in small barracks that were distributed throughout the living quarters.

Besides this a barracks had been erected to the north of Camp II which contained the workshops of the German carpenter, painter and mason who had to take care of the repairs necessary in the camps. Here the German workers who took care of the lawns and shrubbery were also quartered.

The hut camps were surrounded by a wooded area, at each entrance to a camp there was a doorkeepers hut, in which the camp leaders were also usually quartered. The camp leaders lived in the same kind of hut as the foreign workers.

The camps were provided with a low pressure steam heating system that was operated through the large heating unit of the plant. In a like manner the electricity was also attached to the central power plant of the plant. Extensive fire protection was also provided. There was a sufficient number of fire extinguishers, besides that there was a special water line under ground with surface hydrants distributed around the camp. Every sleeping hall had two to three fire places, besides one electric outlet, so that the residents could also warm up their drinks between meals.

Since a number of the inhabitants did not partake of the community eating facilities for ritual reasons, special kitchens (massive) with cooking stoves, were erected near the huts concerned.

The camps were canalized, i.e. the rain water, as well as the used water and the sewerage, was taken out in subterranean pipe lines and treated in special sewage disposal plants and then pumped on to the irrigated fields.

The water supply of the village Wolfen hardly sufficed the needs of the community. Therefore special water tanks of massive construction were built and the pressure at the camps increased through a pumping station.

When the question of quartering married couples became acute, special huts were begun at the end of 1944, which had a hall way in the middle and individual rooms containing two beds each along the sides, with built-in toilet and washing facilities separated according to sex. A special day room for children was also intended.

Each sleeping room contained, for each person, 1 bed with a straw mattress and a pillow, a woolen blanket, a stool, a clothes closet and table room for each person. In Camp I one sleeping room was used as a reading room and day room for every 3 or 4 barracks.

In every camp special protective measures were taken for the security of the inhabitants of the camps. Pond-like water containers of concrete, holding about 200 cbm water, were installed so that there would always be enough water available in case of a fire. Subterranean, concrete shelters laid out in a zig zag pattern provided shelter for the inmates as well as the camp leaders.

The camps were built and equipped as if the camp had been intended for German workers, in regard to hygiene as well as construction. The individual huts were designed and grouped according to modern view points and they were built until the end according to peace time standards, despite the emergency situation and shortage of materials and contrary to official orders.

Dessau, 27 May 1947
(signed) Dipl. Ing. Leonhard ROECK, architect.

I have been informed that I expose myself to punishment if I make a false statement in lieu of oath and that the above affidavit shall serve in the finding of a decision by the Military Tribunal in Nuernberg.

Dessau, 15. Dec. 1947
Dipl. Ing. Leonhard ROECK, architect

Doc. Register No. 801 for 1947.

I herewith certify the above signature, which has been acknowledged before me, of the architect Dipl. Ing. Leonhard ROECK from Dessau, Albrechtstrasse 25, whom I know personally.

Dessau, 19 Dec. 1947

(signature)
Notary

(Stamp):
Dr.

Notary for the district of the Halle/Saale Court of Appeal.

Costs:

Value: RM. 3.000.--

Fee acc. to Section 144, 145, 26, 39 of Reich Sche-
dule of Fees: RM. 4.--
Turnover tax " -.12

RM. 4.12

(signature)

Notary

AFFIDAVIT.

I, Kurt RIESS, graduate engineer, resident in Leverkusen, have been informed that I expose myself to punishment if I make a false statement in lieu of oath. I voluntarily declare the following in lieu of oath, for presentation to the Military Tribunal Court No. IV in Nuernberg:

I was chief engineer of Sparte III of the I.G. Farbenindustrie at their base plant Wolfen/Filmfabrik until June 1945. In this capacity I learned about the so-called credit demands on the Technical Committee (TEA). The papers pertaining to this went through my office. I have taken the credits from 1940 to the beginning of 1945 concerning the building of quarters for foreign workers (residence camps) from my files. The amounts that were paid out for this purpose are listed later for each plant of Sparte III. I would like to show through an example with the Wolfen plant how much was spent on the quarters for each individual foreign worker. The Wolfen plant spent around RM. 8.200.000.-- in the period under consideration to build residence camps and the necessary side installations. So far as I remember there were at the most a little over 5000 foreign workers used in the film factory. This gives an average expenditure of around RM. 1600.- per worker for quarters alone. To this, naturally, had to be added the expenses for day to day care, like food, clothes, use of free time etc. .

The disbursements follow , listed according to plants:

WOLFEN PLANT

Credit Requi- sition No.	Date	Amount	
C 2850	31.March 41	1.450.000.-	Huts for foreign workers
C 2871	16 Aug.1941	52.000.-	2 huts for foreign workers for changing clothes.
C 2882	22 Oct.1941	14.000.-	Extension of camp at water tower.
C 2919	21 Mar.1942	567.000.-	Huts for women workers.
C 2919	21 Mar.1942	205.000.-	Huts for Russian women.
A 200	21 Mar.1942	343.000.-	Huts
C 2936	7 May 1942	408.000.-	Huts for workers.
C 2939	18 June1942	36.000.-	Huts for Russians.
C 2939	18 June1942	48.000.-	Huts on the property of the Johannes mine for Russian chemists and engineers.
C 2954	25 Aug.1942	1.224.000.-	Huts for 1000 more foreign workers.
A 213	25 Aug.1942	402.000.-	Huts.
C 2979	30 Jan.1943	182.000.-	Extension of camp. Thalheimerstr.
W 58	29 Mar 1943	390.000.-	Men's camp, Film II, Thalheimerstr.
W 58	29 Mar 1943	51.000.-	Huts for Camp Thalheim.
K 168	29 Mar 1943	40.000.-	A bus for foreign workers.
11054	9 June1943	249.000.-	Installation of community camp for prison inmates.
11069	13 Aug 1943	42.000.-	Emergency shelter barracks.
11073	13 Aug.1943	25.000.-	Latrine for foreign workers.

WOLFEN PLANT (continued)

Credit Re- quisition No.	Date	Amount	
11054	18 Oct 1943	12.000.-	Reinforcing the fencing.
11086	18 Oct 1943	37.000.-	Building a pri- soner officer camp.
11284	16 Feb. 1944	5.000.-	Building in par- tition walls.
11098	16 Feb. 1944	25.000.-	Drinking water in- stallation for Community Camp I,
09218	16 Feb. 1944	55.000.-	Erection of a hut by wood pile.
11104	1 Apr. 1944	1.136.000.-	Recreation huts.
11103	1 Apr. 1944	9.000.-	Construction of a water pipe 360 meters long.
11107	15 Jun 1944	25.000.-	Annex for installa- tion of a second delousing unit.
11132	19 Aug. 1944	176.000.-	2 living huts in Community Camp II.
11139	19 Aug. 1944	22.000.-	Sleeping hut in Community Camp II.
11144	11 Oct. 1944	950.000.-	20 huts.
11167	3 Jan 1945	6.000.-	Annex to the kit- chen hut for a shower room

RM 8.186.000.-

PREMNITZ PLANT

Credit Requisition No.	Date	Amount	
C 2761	29 Feb. 1940	146.000.-	Erection of 2 huts for quarters.
C 2769	5 Apr. 1940	16.600.-	Purchasing of fittings.
C 2869	26 Jun 1941	36.400.-	Erection of 3 liv- ing huts with the necessary supple- mentary installa- tions.

DOCUMENT BOOK 2 GAJEWSKI
GAJEWSKY-DOCUMENT No. 23

(page - 15 - of original ,cont'd.)

Credit Recui- sition No.	Date	Amount	
C 2899	20 Dec. 1941	14.000.-	Erection of 1 liv- ing hut.
C 2957	25 Aug. 1942	246.000.-	Erection of 4 living huts with the necessary supp- lementary installa- tions.

DOCUMENT BOOK 2 GAJEWSKI

Doc. No. 23

P R E M I T Z plant (continued)

Credit requisition No.	D a t e	A m o u n t	
C 2963	17 Oct. 1942	187,000.-	Huts for staff members.
41207	29 Nov 1943	386,000.-	Erection of solid huts.
41213	11 Oct 1944	831,000.-	6 huts and 40 wooden houses
		<u>RM 1,863,000.-</u>	

L a n d s b e r g / d. plant

Credit requisition No.	D a t e	A m o u n t	
C 2960	17 Oct. 1942	112,000.-	Erection of two huts for 200 foreign workers
C 2960	17 Oct 1942	56,000.-	Erection of a disin- fecting installation in the hut camp
A 229	29 March 1943	14,000.-	Erection of a disin- fecting installation
43118	13 Aug 1943	99,000.-	Steam-heating in- stallation in the German Labor Front camp
43119	18 Oct 1943	552,000.-	Erection of a women's camp
43122	1 April 1944	282,000.-	Recreation huts
		<u>RM 1,115,000.-</u>	

L i c h t e n b e r g plant.

Credit requisition No.	D a t e	A m o u n t	
C 2860	26 June 1941	11,000.-	Erection of a workers' hut
C 2964	17 Oct 1942	34,000.-	Erection of a hut.
W 59	29 March 1943	200,000.-	Erection of three huts.

Lichtenberg plant (continued)

Credit requisition No.	Date	Amount	
42162	18 Oct 1943	13,000.-	Erection of another hut for foreign workers.
		RM 258,000.-	

Rottweil plant

Credit requisition No.	Date	Amount	
C 2952	25 Aug 1942	366,000.-	Erection of a hut camp.
45032	13 Aug 1943	88,000.-	Erection of accommodations for foreign workers.
45041	16 Feb. 1944	208,000.-	Hut camp for foreign workers.
		RM 662,000.-	

Bobbingen plant.

Credit requisition No.	Date	Amount	
C 2862	19 May 1941	21,000.-	Erection of a dwelling hut
C 2890	22 Oct 1941	40,000.-	Taking over of a dwelling hut camp
C 2898	20 Dec 1941	9,000.-	Purchase and completion of a dwelling hut
		RM 70,000.-	

Munich plant.

Credit requisition No.	D a t e	A m o u n t	
C 2962	17 Oct 1942	26,000.-	Furniture for community camp IX.
C 2975	1 Dec. 1942	720,000.-	Erection of a hut camp.
		<u>RM 746,000.-</u>	

Leverkusen, 23 February 1948.

(signed): Kurt Riess

(Kurt Riess)

The above signature of Herr Dipl. Ingenieur Kurt R i e s s ,
residing at Leverkusen-Rh., was executed here today before me, Hanns
Gierlichs, deputy defense counsel before the American Military
Tribunal in Nuernberg (Case VI), and is herewith certified and
attested by me.

Leverkusen, 23 February 1948.

(signed:) Hans GLRLICHS

(Hanns Gierlichs)

Affidavit.

I, Dr. Ing., Dr. jur Harald M e d i g e r, residing at Munich 9, Tegernseer Landstr. 27C, have duly been warned that a false affidavit on my part renders me liable to punishment. I herewith declare in lieu of an oath that my following deposition corresponds to the truth and was delivered up in order to be submitted as evidence to the American Military Tribunal No. VI in Nuernberg.

From 1931 until the middle of June 1945 I was head of the Patents Department for Photo-Rayon of the Filmfabrik Wolfen in the I.G. Farbenindustrie Akt. Ges. I recognize the attached three photostats, marked on the reverse sides with my signature, as reproductions of a statement in the compilation of which I cooperated myself. The statement was compiled at the end of April or beginning of May 1945 by the head of the Social Welfare Department, Herr Dr. Paul Schulse, on the basis of the documentary material filed there, in reply to certain questions asked the Film Fabrik by the Bitterfeld US Military Government. The original of the compilation, in which, according to my recollection, the various writing errors were corrected, was handed over to the American Bitterfeld Post Commander at the time, a Major whose name I no longer recall, when he

inspected the workers' camps mentioned in the statement.

As I helped Herr Dr. Schulze to draw up the statement, since most of the personnel was still absent because of the conditions prevailing immediately after the occupation by the US forces, I am in a position to confirm that all figures given in the statement were based on the documents filed in the Social Welfare Department of the Filmfabrik.

(signed); Dr. Harald Mediger

The above signature of Herr Dr. Harald Mediger, residing at Munich 9, Tegernseer Landstrasse 270, was executed by him today before me, Carl Weyer, deputy defense counsel before the American Military Tribunal in Nurnberg, and is herewith certified and attested by me.

Munich, 17 January 1948

(signed): Carl Weyer

(Carl Weyer)

Dr. Hans Perschmann

(19a) Halle/Saale, 10 February 1948
Am Birkenwäldchen 6
Telephone 2 97 27Affidavit

I, Dr. Hans Perschmann, Halle/S., Am Birkenwäldchen 6, have been duly warned that a false affidavit on my part renders me liable to punishment. I declare in lieu of an oath that my following deposition corresponds to the truth and is delivered up in order to be submitted as evidence to the Military Tribunal No. VI in the Place of Justice at Nuernberg, Germany.

The Document No. MI-11063 of the Prosecution in Case VI of the Military Tribunal in Nuernberg was submitted to me together with an excerpt from the Trial Brief of the Prosecution in Case VI (I.G. Farben) dated 13 December 1947, page 27, in which to the aforementioned Document (circular of the former Office of Dr. Perschmann of the I.G. Farben at Wolfen) the comment is made that doubts had been entertained by or had arisen for the plant management at Wolfen as to whether cuts in rations for Eastern workers were permissible in case of breach of employment contracts.

As regards this, I state that the conclusion drawn by the Prosecution is unjustified inasmuch as there were no doubts of any kind at Wolfen on this question which occasioned this circular.

The circular was rather a forwarding of information given by the Reich Group Industry, which regularly took place via the Dr. Perschmann Office at that time to the plants of the works combines, and there was no motive for questions directed back to the Reich Group Industry, either for the plants of the works combine, or for the Dr. Perschmann Office, or for the management at that time. On principle, the Dr. Perschmann Office did not address demands or inquiries to the Reich Group Industry, so that it also could not have received a reply to such an inquiry.

(signed): Hans Perschmann.

The above personal signature of Dr. Hans Perschmann, residing at Halle/S., am Birkenwäldchen 6, which is recognized by me, was executed here before me, Attorney at Law and Notary Johannes Grobe, in Merseburg, Ernst Thaelmannstr. 34, on 10 February 1948, and is herewith certified and attested.

Nr. 203 of the document register, year 1948.

Merseburg, 10 Feb 1948

(signed): Johannes Grobe

Johannes Grobe
Notary in the District of the
Halle/Saale Court of Appeal
(Rubber stamp)

Note of fees:

Value: 1000.- RM

Fee, Sect. 144, 26, 39, schedule of fees 2.-- RM
turnover tax 0.06 RM

total: 2.06

The Notary
(signed): Grobe

Affidavit.

I, Kurt R i e s s , Dipl.-Ingenieur (graduated engineer), residing at Leverkusen, have been duly warned that a false affidavit on my part renders me liable to punishment. I declare the following in lieu of an oath for its submission to the Military Tribunal No. VI in Duernberg:-

The Documents NI-11614 (Affidavit by Jean van Mol) and NI-7503 (Affidavit by Donat Barly) concerning the treatment of foreign workers in the "olfen plant (Filmfabrik) of the I.G. Farbenindustrie were submitted to me.

For many years, especially also during the period between 1939 and 1945, I was chief engineer of part III of I.G. Farbenindustrie, with the Office in "olfen (Filmfabrik). Since the technical department was, in practice, concerned with all manufacturing departments and especially since it also supervised the erection of dwelling camps, recreation rooms etc. for foreign workers, I gained a comprehensive picture of their treatment. Besides all important questions concerning the housing and treatment of foreign workers were the topic of many discussions within the management, in which I participated. Therefore, I am in a position to make the following comment on the statements made in the aforementioned documents:-

(1) To Document NI- 11614 (Affidavit van HOL)

The work as a plastics worker was easy, for the most part it was done by female workers, also already before the war by German female workers. A regular workingtime of 10 hours daily for 6 days a week and additional 12 hours on Sunday never has existed in the film factory. Rather they worked 9 hours daily, not at all on Sundays. Longer hours were worked only in exceptional cases (Overtime). Since foreign workers were also only in exceptional cases called upon to serve as air raid worker there can be no question of regular service by foreigners on every fifth Sunday for air raid protection as far as it concerns the factory. In the camps there was no air raid protection service at all in the real sense, but only occasional drills with fire extinguishing equipment and a certain order service in case of air-raid alarm.

The barracks for foreign workers were built as good as could possibly have been done. The works-manager Dr. GAJEWSKY demanded that the foreign workers be given the best treatment possible under the circumstances prevailing at the time, and that no expenses be spared. At for this purpose. That the beds were mostly equipped with peillasses is true, that they were not changed does not correspond to the facts which I have observed myself. I have often seen myself, how the peillasses were emptied and freshly filled.

One cannot talk about being watched by camp leaders already for the reason that it was their ^{primary} duty to keep the camp clean, to procure the food etc. For every 3-400 men there was one camp leader. However there was a watchman at every entrance and exit of the camp, as was also the case at the factory. Neither was there a watching of foreign workers by the Plant-Police in the factory. During working time foreign workers were, just like the German personnel, only under the supervision of their superiors (Foremen and master craftsmen). The Plant Police took care of the watching of entrances and exits of the factory and the patrolling of the plant roads. Besides preventive measures were taken by it against thievery, and for that purpose regular rounds were made through the factory. Besides, there were only about 50-60 Plant Policemen ^{including gate guards} for approximately 13 000 workers and employees of the film factory. Rounds were made by the Plant Police also in the midst of peace, especially during the night and on rest-days accompanied by dogs.

That feeding in Germany during the war did not meet all requirements is true. However I remember very well that with the exception of the eastworkers the foreign workers were not worse off in regard to food than their German co-workers.

Those who were not heavy workers and therefore received normal rations, were better off receiving their food in the camp, than if they had like German workers of the same category obtained their food on ration stamps.

That foreign workers should repeatedly have been beaten by foremen and master workmen I believe entirely impossible. Such occurrences, no doubt, would have become known. I remember one case, where a Polish woman was beaten by a German supervisor and that this case immediately was reported, whereupon the worksmanger, Dr. GAJEWSKY, personally reprimanded this man in the strongest manner and issued an urgent warning to him. The works-management resp. the supervising staff has at every occasion urged the decent treatment of foreign workers. If these directives had not been adhered to by subordinates the possibility would have been open to foreign workers to make complaints through their stewards or liaison men. Nothing of the kind, however, was in question. The film factory had neither a penal camp nor penal columns, to which foreign workers who did not want to work could have been assigned. The plant itself could not even have effected such a transfer. But the works manager did have the duty on the basis of an order by the Plenipotentiary for the allocation of workers to report foreign workers who repeatedly failed in their work or left their jobs without authorization, in case all reprimands and warnings proved futile.

Only the Gestapo, under the Command of which the so-called educational labor camps were operated, decided if transfer to a labor camp should take place.

It never became known to me that other standards should have been applied in regard to the medical treatment of foreign workers, than were in use for German workers. Certainly such a handling would have contradicted the basic attitude resp. the repeated directives of the works-management.

There were no factory engineers by the name of Dr. SCHLIDT and Dr. SCHNEIDER in the film factory. Dr. SCHNEIDER must have been the scientist and chemist, who directed the laboratory for the development of color films, which was not a manufacturing department employing workers in great numbers.

(2) To Document NI-7503 (affidavit BALLY).

It is contrary to the fact to say that work in the film factory was generally hard. In the photo plants as well as in the rayon and wood pulp plants the work as a rule was easy, therefore already in peacetime the overwhelming majority of the workers was made up of German women.

Work in a film- and rayon factory cannot be compared to work in mines, in the iron-and steel industry, in the tool industry and also in the big chemical plants. As already stated at 1, it is not true that workingtime consisted of 12 hours. It is entirely impossible already for the reason that in the film factory of which BARLY speaks, work was performed in three shifts of 8 hours each. That work in the film factory took place to a great extent in the dark is no peculiarity of the film factory Wolfen. Since film is noted to be sensitive to light, its manufacture can only take place in dark rooms, whatever factory it may be, Kodak, Agfa or any other. X-ray - plates have, as far as I know, not been produced for the last 10 years already, only X-ray - films, which are being manufactured in the same manner as any other normal film. It is not true that those employed in the dark rooms were allowed to go outside only once a day. I know, that within the darkened rooms, there were toilettes, so that it was not necessary to leave factory rooms for that purpose at all. To the question of feeding I refer to point 1.

It is true that individual rooms in the barracks were occupied by about 12 persons. These rooms had two windows and were entirely sufficient. Men and women were strictly separated. They were only together when belonging to one family and then also the children were placed in the same room; if such were brought along, which happened only in rare cases.

Barracks with 6 beds placed over each other did not exist in the film factory at all. Only two beds were placed over each other. Also there were no barracks with only two washing facilities for approximately 96 persons. According to my memory the barracks with 6 rooms, in which the stated number of 96 persons may have been quartered, had at least 12, but probably 14-16 washing facilities.

(Sig.) Kurt RIESS
(Kurt RIESS)

This affidavit was made in lieu of oath and signed by Herr Diplom. Ing. Kurt RIESS, who is personally known to me, before me on 5 November 1947 at Leverkusen.

(Sig.) Carl WEYER
(Carl WEYER)

Assistant Defense Counsel
at the Military Tribunal Nuernberg.

Wolfen, 7 January 1948

AFFIDAVIT

concerning medical care of foreign workers.

Understandably there existed greatest interest in maintaining health as far as was possible and to prevent the outbreak of epidemics in every thinkable way, since a sick worker only is a liability and the appearing of epidemics could have brought about fatal consequences for the further operation of the factory. A sick foreign worker had the possibility to turn to the following places:

- 1.) The medical station of the plant.
- 2.) The doctor, who conducted daily a consultation hour in the first aid station of the plant.
- 3.) the doctor on duty at the plant dispensary, located at a 10 minutes walking distance from the factory entrance.
- 4.) The medical station at the camp.

All 4 agencies had the possibility to refer a sick person to the camp sick lay because of incapacity to work. The medical care was in the hands of the doctor who was on duty at the camp sick lay. By this system the outbreak of epidemics was successfully prevented. During the course of the war years only two typhus cases were observed in the Wolfen camps, which had arrived with a new transport. Transmission could be prevented.

As can be gathered from the above, the plant doctors were at the disposal of foreign workers just as of indigenous people. The same was true of medical installations, the first aid station and the plant dispensary.

Periodical examinations were given foreign workers just like indigenous personnel and extended, within the sphere of the film factory, only to the lead solderers.

Foreign workers had the possibility to choose their doctor while in clinical treatment, in case of work incapacity they were treated by the camp doctor.

In the plant dispensary, which has 45 beds, one half had been evacuated by indigenous workers for the care of foreign workers. All doubtful cases and those requiring clinical treatment were referred there, infectious diseases were so rare that a separate section was not necessary for that purpose. (See typhus fever).

In the camp sick lays there was only one trained German medical official charged with the direction, the other aides were taken from the nations of the foreign workers prevalent in the camp.

The Wolfen camp area had its own delousing institute, through which all arriving workers were passed.

In regard to health condition the same standard was applied to foreign workers as to the German workers.

During the war the absence of foreign workers because of illness amounted to between 2 and 3,5%. With the German population it was 7-8% during the last war years. The difference is essentially due to the fact that the acceptance of all incapacitated workers in sick lays assured proper treatment through current medical supervision, furthermore foreign workers had little inclination to stray away from their jobs unnecessarily, since they did not have any private sphere of life. For this same reason no private medical counselling was necessary for foreign workers. The general condition of health was very good with foreign workers.

The number of deaths was accordingly very low and during 1940-1945 has hardly surpassed the figure 10 and at the most reached 15. The reason is the successful prevention of any outbreak of infectious diseases. So during the course of years only one death was caused by typhus (female East-worker) and one death case on account of dysentery.

A further reason is to be found in the fact that the foreign workers were of age brackets in which death from normal causes was improbable.

A third reason was the fact that all persons suffering from chronic infection, i.e. T.B. cases, were, as soon as they were discovered and the possibility existed, returned to their homeland. The number of people ill with T.B. was also very small in the Wolfen camps, and did not surpass the figure to be expected according to prewar statistics.

Enclosed is a photo copy of the out patient record of van MOL with the observation that, in the case quoted by him, it may be the case of treatment of an underarm furuncle of September 1944, connected with a few days of work incapacity.

The above I declare in lieu of oath, after having been told the meaning of an affidavit.

Bitterfeld, 21 st January 1948

(Sig.) Dr. B. HILGENFELD

No. 151 of the document rolls for 1948.

The above signature of the works doctor Dr. Bruno HILGENFELD in Wolfen, Berlinerstr. 8 is herewith certified.

Bitterfeld, 21 January 1948

(Sig.) Dr. Albert BOHLEN

Notary Public

(Stamp) Dr. Albert BOHLEN-BITTERFELD
Notary Public in the District of the
Superior Court in Halle (S)

Cost:

Value: 3.000.- RM

Fee: \$ 39 RKO. 4.-- RM.

Tax: -.12 "

4.12 RM.

(Sig.) Dr. BOHLEN
Notary Public.

6.7.43 le (left) eye completely closed,
thick puss flowing from beneath eyelids.
Cause not known to patient,
Refered Dr. KLABUS

(illegible)

30.7.43 Perspiratory gland abscess right arm-
pit. Ichtyolbandage. Not able to work.
There is also a furuncle developing on
the neck.

2.8.43

3.8.43 Salicyl ointment bandage.

9.Aug.1944 Shoulder pains for 4 days. Muscle
rheumatism.

Analgit.

8 Sept.1944, Furuncle left lower arm.
Incision freezing. Stripes.

Not able to work.

14.Sept.1944. Able to work beginning 15.9.

Dr. Wilhelm SCHNEIDER

Freiburg 18 December 1947

AFFIDAVIT.

I am aware of the fact that I will render myself liable to punishment if I give a false affidavit. I am furthermore informed that the following affidavit is submitted for the purpose of finding a decision before the Military Tribunal in Nuernberg.

Upon request of Carl WEYER, Assistant Defense Counsel at the Military Tribunal in Nuernberg, I declare in lieu of oath that I do not know any engineers by the name of Dr. SCHMIDT and Dr. SCHNEIDER who are supposed to have been employed with the firm of Agfa Woff. Of the many plant employees by the name of SCHNEIDER I was the only one who had the title of a doctor. I am not an engineer but a chemist. I have never beaten a foreign worker. In my position, as the head of several independent scientific laboratories, I had no direct contact with laborers. Consequently the possibility of mistreatment of foreign workers is excluded.

I have not been a member of the party or its affiliated organizations.

signed: Dr. Wilhelm
SCHNEIDER

CERTIFICATION.

The undersigned Werner MORISBERGER, Notary in the Canton of Bern, with his office in Wohlen near Bern, herewith verifies that the above signature "Wilhelm SCHNEIDER" was affixed in his presence by Dr. Wilhelm SCHNEIDER, German citizen, born on 31 December 1900, Chemist by profession, residing at 102 Monticule de Perolles in Fryburg. Dr. Wilhelm SCHNEIDER furnishes identification through presentation of alien identity card No. 189/23407/Fryburg, issued on 8 January 1947 by the alien control police Fryburg.

Certified in the office of the undersigned notary in Wohlen near Bern on the twentieth day of December of the year one thousand nine hundred forty seven.

20 December 1947

signed: MORISBERGER, Notary

Document Register No. 2587

Werner HORISBERGER
Notary for the Canton of Bern

(Stamp)

Canton of Bern
Stamp/Timbre
50
Centimes
21 December 1947

Wolfen 12 January 1948

AFFIDAVIT.

In reply to the allegations by Jean van MOL it must first be stated that, to my knowledge, there was no engineer SCHLITT in the film plant at the time van MOL was present. Since there is the possibility that one was referring to myself, Dr. Walter SCHMID, director of the artificial silk plant, I herewith declare that I have neither beaten German nor foreign workers since I did not even come into close contact with foreign workers and secondly, this would not be consistent with the nature of my character.

I make the foregoing statement in lieu of oath after having been informed about the significance of an affidavit.

Bitterfeld 21 January 1948

signed: Dr. Walter SCHMID

No. 150 of the Document Register for 1948.

I herewith certify the foregoing signature, executed by the chemist Dr. Walter SCHMID, residing at 6a Oppenheimstrasse in Wolfen.

Bitterfeld 21 January 1948

signed: Dr. Albert BOHLEN
Notary

(Stamp)

Dr. Albert BOHLEN,
Bitterfeld,

Notary in the district of the Court of Appeal in
Halle (S)

Compilation of costs

Value: RM. 3.000.-

Fee, acc. to par. 39 RKO
Turnover tax

RM. 4.00
" - .12
<u>RM. 4.12</u>

(signed) Dr. BOHLEN
Notary

Wolfen 12 January 1948

AFFIDAVIT.

For the purpose of submission and finding a judgment at the Military Tribunal in Nuernberg I submit the following affidavit and ascertain that I am aware of the fact that I will render myself liable to punishment if I make a false statement:

During the war I was a plant manager in the Viestra fiber manufacture of the Agfa-Film factory in Wolfen which is a plant of the I.G. Farbenindustrie Aktiengesellschaft. In this capacity, those plants were also under my control in which prisoners of the Ravensbrueck- or Buchenwald concentration camps were working. These were exclusively female prisoners of Polish and Russian nationality.

The actual working time amounted to 12 hours including a one hour lunch period. The inmates were subdivided into 5 groups of which 2 groups worked at one time from the hours of 6 to 18 and 18 to 6 respectively. One group was always off duty so that practically every 5th day was a work holiday.

The food during the working hours was issued in the factory loft itself. It consisted of a warm meal and in general was not worse than that issued to German or foreign workers. Not until the last two to three months prior to the end of the war was it that, in conjunction with the generally impaired food situation, the food for the prisoners became also inferior as to quality.

- I have no information as to the food situation in the camp itself since I was not admitted there.

In disciplinary respect the prisoners were exclusively under the command of the SS-camp administration or the SS-women supervisors who had been attached to the camp as guards. The German supervisory personnel, assigned by us, had to give only official instruction through the women interpreters. For heavy work, for instance in the filter-press room, German men were always available.

The relations between the German supervisory personnel and the prisoners were always good, the prisoners were diligent and willing, almost without exception. I forwarded various complaints about the women SS-guards to the plant administration which upon their request led in each case to the relieve of those guards. I remember three cases where one woman guard was removed from the plant for theft, another one because of complete moral depravity and a third one, for repeated undisciplined conduct. I likewise reported a fourth case where a woman SS-guard had requested prisoners to steal filter material and, in case of their refusal, threatened to beat them, however, this case was not settled any more because of the end of the war.

The prisoners performed their work in their camp clothing as far as this was feasible. The plant issued protective clothing and wooden shoes to people working in those rooms where the danger of injury by lye existed.

After several weeks of training the prisoners were issued coupons amounting from RM. 0.5 to 5.00 , according to results, which enabled the prisoners to buy canteen goods in the camp canteen. At the beginning these coupons were welcomed, later of course, the interest declined because useful goods could allegedly no longer be obtained in the canteen.

In general I was under the impression that the prisoners - naturally apart from the mental suffering of captivity - were willingly performing the work itself. I believe to see a confirmation of this conception in the fact that, some time after their removal, one of the interpreters with the name of Stella KRUK (Polish nationality) appeared again in the plant requesting reemployment from the plant commander also in the name of three additional prisoners who had likewise returned. This, to be sure, was not approved, however, the KRUK woman whose clothes were in a rather bad condition was given new clothing by the plant.

Bitterfeld 21 January 1948

(signed) Karl KOLSSLINGER

No. 148 of the Document Register for 1948.

I herewith certify the foregoing signature executed by graduated engineer Karl KOLSSLINGER, residing at 14 Marx-Engels-Strasse in Dessau.

Bitterfeld 21 January 1948

(signed) Dr. Albert BOULEN
Notary

Dr. Albert BOHLEN
Bitterfeld
Notary in the district of the Court of Appeal in
Halle (S)
(Stamp)

Compilation of costs

Value RM. 3.000

Fee, acc. to pr. 39 RKO
turnover tax

4.00 RM.
0.12 "
4.12 RM.

The Notary

(signed) Dr. BOHLEN

A f f i d a v i t .

I, Hans Richter, graduate engineer, residing in Leverkusen, have been instructed that I will render myself liable to punishment if I give a false affidavit. I voluntarily state the following on oath for submission to Military Tribunal No. 6 in Nuernberg:

Document NI-2797 concerning the construction of transient barracks for foreign workers in the Landsberg plant of the I.G. Farbenindustrie has been shown to me. As former Chief Engineer of this plant I am informed about the construction carried out in Landsberg and therefore about the barracks mentioned in the above-named document. Concerning this I can state the following:

The barracks constructed on the basis of the granting of Credit No. 43122 were not intended for residential, that is, sleeping purposes (residential barracks) ("Wohnbaracken!"), but were supposed to serve as temporary barracks (Aufenthaltsbaracken) for changing clothes, washing up, and for taking the hot meals issued by the plant to the Perlon factory employees present on each shift. Proof of this is primarily furnished by the fact that said barracks were located on the factory grounds whereas the residential barracks were erected exclusively outside the factory grounds. In contrast to the usual wooden type of construction the barracks in question were built of stone and besides the usual equipment, such as, for example, wash pumps with running water, steam heat, wardrobes, etc. also contained a kitchen with cellar and separate dining rooms for female and

male workers.

At the beginning of 1945 the number of employees in the entire Perlon plant was, as far as I recall, about 800 persons. The personnel strength of about 2 000 persons provided for in the credit would not have been reached until considerably later. In any case the employees in this plant were divided into 3 shifts. It seems to me important for the question at stake that the above-mentioned barracks were not used at all up to the time when the plant was shut down as a result of war-time events occurring at the end of January 1945. Up to that time the employees' rest rooms (Aufenthaltsraume) were located in the production building itself, in rooms which were intended for offices later on.

HANS RICHTER

(signed: Hans Richter)

This statement was made under oath and signed by Herr Hans Richter, grad. eng., who is personally known to me, on 7 November 1947 at Leverkusen.

CARL MEYER

(signed: Carl Meyer)

Assistant Defense Counsel
at the Nuernberg Military
Tribunal

Affidavit.

I, Dr. Wilhelm Mauss, residing in Wiesbaden-Biebrich, Muehlstr. 2, have been instructed that I will render myself liable to punishment if I give a false affidavit. I hereby declare an oath that the following statements represent the truth according to the best of my knowledge and belief and are made for the purpose of being submitted in evidence to the American Military Tribunal in Wurnberg.

I was in the Patent Department of the firm of Kalle & Co., A.G. Wiesbaden-Biebrich, since 1930, first as specialist, later as its director. After becoming prokurist in 1938 I also took over the management of the technical secretary's office in 1939 and in 1943 became deputy of the Technical Director, for which reason I was also appointed nominal director in 1944. In the autumn of 1945 I was entrusted with the management of the plant by the American Control Officer and in January 1946 assigned as Manager.

I shall state the following in reply to the question of to what extent any cooperation took place between Kalle & Co., Akt. Ges. and the I.G. Farbenindustrie in the field of social problems:

In view of the fact that Kalle & Co. belonged to the Konzern of the I.G. Farbenindustrie and the company's shares were eventually 100 % in the possession of the I.G. Farbenindustrie, Kalle naturally let itself be guided in social questions by the instructions of the I.G. in this field. These instructions were issued by Bertram's Office

and Kalle therefore also cooperated with this office. Moreover, there was also an exchange of knowledge acquired from practical experience with other I.G. plants. Thus, for example, the annual bonus was in accordance with the instructions of the I.G. Farbenindustrie and the employees' welfare fund was likewise reorganized according to the example of the I.G. Farbenindustrie. A representative of Kalle also took part fairly regularly in the conferences of the social referents of the I.G. Farbenindustrie.

From cooperation in such fundamental and general matters one must distinguish the question of the special kind of labor allocation and special social problem of Kalle, the handling of which was primarily conditioned by local circumstances and guided to an extensive degree in accordance with district conditions and the measures of the local labor allocation authorities. In this field the business management of Kalle was completely independent; its incorporation in Sparte III, which in keeping with the latter's purpose was dictated by considerations of production engineering, had hardly any effect in the field of labor allocation. No special exchange took place on Kalle's part with the Social Department or Personnel Department of Wolfen Film. This office was neither able to issue any orders whatsoever to the business management of Kalle concerning labor allocation, nor did it actually do this. As a practical matter, since the beginning of the war, the measures of the government Labor Offices of the locality in question or of the superior Provincial Labor Offices were solely and alone decisive in this field.

In accordance with the Law for the Regulation of National Labor the given owner of the Kalle Plant, or in any case the latter's Vorstand, was responsible to these Labor Allocation authorities for all questions connected with the allocation and supervision of German

and foreign workers,

Wiesbaden-Biebrich, 16 December 1947.

Dr. Wilh. MAUSS

(signed: Dr. Wilh. Mauss)

The preceding signature of Dr. Wilhelm Mauss was executed today before me, Carl Jeyer, deputy defense counsel at the American Military Tribunal in Nuernberg, Case 6, which I hereby certify and witness,
Wiesbaden-Biebrich, 16 December 1947.

CARL JEYER

(signed: Carl Jeyer)

A f f i d a v i t.

I, Max Gerisch, residing in Wiesbaden-Biebrich, Mainzerstr. 25a, have been instructed that I will render myself liable to punishment if I make a false affidavit. I hereby declare on oath that the following statements represent the truth to the best of my knowledge and belief and are made for the purpose of being submitted in evidence to the American Military Tribunal in Nurnberg.

I have worked for the firm of Kalle & Co., A.G. in Wiesbaden-Biebrich since 1 August 1930. From 1933 to 15 January 1941 I worked in the cellophane further processing plant, eventually in the capacity of deputy factory superintendent. On 15 January 1941 I was ordered by the plant management to act as liaison man between the French prisoner of war camp, which was under military administration, and the firm. This work particularly included problems of labor allocation and the supervision of these prisoners of war. When additional camps were set up for foreign workers the firm assigned me to these duties on a full-time basis as camp director and supervisor of foreigners. In doing this the plant management was aware that I was politically not in alignment with the Third Reich and that I was a registered member of the German Social Democratic Party as well as a free-mason. The firm did not pay any attention to these circumstances because it was merely concerned with entrusting somebody with this task who would perform this work with the right social attitude and

on the basis of plant engineering knowledge, so as to guarantee that the supervision of foreigners would be handled smoothly in the interests of the plant and the foreign workers.

Now the following documents from volume 71 of the Prosecution have been shown to me:

Document No. NI 4036
" 4034,
" 4035,
" 4037,
" 6187.

All of these cases - with the exception of Document NI 4034 - concern measures which were taken against foreign male or female workers because of neglect of work, loafing, staying away from the camp, and the like.

To this I should first like to say the following in general:

It is well known that Decree No. 13 of the Plenipotentiary General for Labor Allocation was in force at the time when the events in question occurred. According to this every plant, in the interests of maintaining and increasing production, was obliged to report cases of loafing on the job and dodging work if measures in the factory, such as warnings and fines, were unsuccessful with the loafers. The reports were to be sent to the Reich Labor Trustee in the case of Germans and to the Secret State Police (Gestapo) in the case of foreigners. With the full approval of the business management of the firm of Kalle & Co. everything was at first done within the factory to restore order among the loafers by the above-mentioned measures. Therefore the plant management introduced the following classifications with regard to measures of this kind:-

- 1) caution ,
- 2) fines of 2 RM.,
- 3) fines of 2 days wages,
- 4) fines of 1 days wages,
- 5) fines of 1 weeks wages.

Only when all that did not help, was reporting to the Secret State Police, which was legally provided for, resorted to; nor was that done in all the cases either. As the Parfu Case proves (Document No. NI 6187) the punishment of deduction of 2 weeks wages in favour of the Nazi Public Welfare Association was inflicted twice in rapid succession before imprisonment followed on the grounds of reporting. Special reference may be made to the fact that the cases in which reports were made were such that repercussions on the working morale of the other workers had inevitably to be feared or had already been observed. In cases of this kind German workers' members had also been denounced to the Labour Trustee and, likewise, if all other means failed, were put in prison and assigned to a Disciplinary Labour Camp.

In individual cases, reference is made to the following also: -

1.) Document NI 6187 : According to what I have ascertained and remember, I can say the following about the case of the French female worker Parfu: She came here on 26 August 1944, that is, after the invasion, as far as we know, with German troops who were streaming back. Right from the start, she showed no will to settle down suitably and really to work. As is evident from the Document, much patience was shown and she was cautioned 5 times, on account of laziness, before being denounced. She was in an ordinary prison in Wiesbaden for a few weeks, and therefore, not in a concentration camp

or Disciplinary Labour Camp; she left us on 22 March 1945.

2.) Document NI 4035 and 4037: In the Case of the female workers named here - Jeanne HUBERLAND and Marcelle BALINCOURT - recourse was likewise had, first of all, to plant measures, especially repeated warnings. The first had to be severely reprimanded and finally reported because she was not only lazy at work and on various occasions did not return to the camp in the evening or the whole night, but because, apart from that, she associated with prisoners of war, in spite of the strict regulations. Her departure was reported to the police on 1 August 1944, after she had not returned from leave home.

In all three cases, it was a question of workers in whose cases all the admonitions of the plant bore no fruit and who threatened to exercise such a bad influence on their fellow-workers that a vigorous educational measure was the only means of accustoming them to order; German female workers would, without doubt, have been treated correspondingly bad had they behaved similarly.

Document NI 4034 concerning female foreign workers on night shift merely contains a communication from the wages department to me concerning the current instructions as regards labour law affecting foreign female workers.

Such communications were repeatedly transmitted to inform me about legal provisions in accordance with the most recent position. This was given rise to by no particular case or reason.

As regards the cases of laziness dealt with above, I should like to emphasize expressly that these - in relation to the total number of foreign workers-

rarely occurred; the majority of foreign workers worked well and willingly to which end a decisive contribution was made, in my opinion, by the fact that they themselves obviously felt that the firm did absolutely everything possible in the circumstances to make their position as pleasant as possible.

Wiesbaden-Biebrich, 16 December 1947.

Max GERISCH

(signed: Max GERISCH).

The preceding signature of Max GERISCH was executed to-day before me Carl WEYER, deputy defence counsel before the American Military Court in Nuernberg, Case 6, as I hereby certify and attest.

Wiesbaden-Biebrich, 16 December 1947.

Carl WEYER.

(signed: Carl WEYER).

AFFIDAVIT.

I, Dr. Alfred LINGG, residing in Munich-Gruenwald, Findenburgplatz 2, having been duly warned that I render myself liable to punishment by making a false statement, state the following on oath voluntarily and without duress:

Document NI-3825 Exhibit 1404 has been submitted to me. To explain the event dealt with further there, I refer, first of all, to the letter of the Camera Works to the Stadelheim prison dated 12 January 1944, a photo-copy of which is attached to this declaration. This letter goes back to the fact that some Polish women who were in prison wished to continue to work with us after they had served their time. We could only comply with this wish if we had the consent of the Regional Armament Office in advance. The Regional Armament Office declared its willingness to grant us permission to employ the women released from prison, demanded, however, as a matter of form the conscription for which it intended to apply to the Labour Office. Accordingly, the lists requested from Stadelheim ought to have been handed in to the Regional Armament Office, as I declined, on principle, to propose conscription for labour of foreigners, by the works.

Whether the personnel referent, later, as it would appear from Document NI-3825, approached the Labour Office directly, contrary to my instructions, I do not know. What is definitely established, at all events,

is that the Polish women in question after they had served their sentence were released in regular fashion from the Stadelheim prison. In so far as these women were conscripted for labour in the Camera Works by the Labour Office, they were in the same legal position as all other free workers who, at that time, were conscripted for labour in our works, as, for instance, the female members of the Bavarian State Theater who, for their part, were also conscripted for labour in our works by labour allocation authorities.

Dr. GAJEWSKI was not informed as a matter of daily routine of the allocation of such workers as were conscripted for labour nor of the continued employment of the Polish women released from prison. Nor do I remember that it was ever brought to his knowledge.

Munich, 17 February 1948.

(signed:) Dr. ALFRED LINGG

(Dr. Alfred LINGG).

Certificate.

The authenticity of the signature of Herr Dr. Alfred LINGG is hereby certified.

Muenchen, 18 Feb. 1948.

Police Headquarters Munich.

Police Section East.

by order of (Signed) DOBLER

Dobler

Administrative chief Secretary.

Police Headquarters of
the provincial capital Munich.

(Stamp).

- 1.20 RM. stamp duty of the provincial capital Munich
- 1.20 RM. stamp duty of the provincial capital Munich.

I.G. FARBEINDUSTRIE AKTIENGESELLSCHAFT
Reich Factory - No. 0/0850/
0011

A G F A .

Camera Works

Munich.

Telegrams	Telephone	Teletype	Business
Agfacamera	Munich 4563	063 Munich 862 hours. I.G. Munich for Camera Works.	7.30-16.30 Saturday 7.30-13.

I.G. Farbenindustrie Aktiengesellschaft, Munich 9

To the

Prisons and Remand Prison
Munich - Stadelheim,
for attention of Herr Amtmann (Magistrate) GERST,

Munich 9

Stadelheimerstr. 12.

Your reference. Your communication of, our reference
Lgg./Se.
Camera Works.

Munich 9
Tegernseer
Landstr. 161.
12.1.44.

Subject: Conscription for Labour of Polish Women re-
leased from prison.

With reference to your discussion with Obering. (Senior Engineer) ZIEGLER we would inform you that we have proposed to the Regional Armament Office that the Polish women who will be free after serving their sentence should be employed to continue to be employed in our plant. To-day, we received information from Major WAGNER, Regional Armament Office Munich that the Regional Armament Office approves the continued employment of these women by us and intends to propose conscription for labour to the Labour Office in agreement with the Secret State Police. We would ask you to hand in immediately a list of the

names of those Polish women who are being released from prison in the months of January and February stating the day. Then the Regional Armament Office will effect conscription for Labour on the fixed days mentioned.

We should appreciate it if you would pass the aforementioned list to us.

Heil Hitler!

I.G. FARBENINDUSTRIE AKTIENGESELLSCHAFT.

(signed). LINGG signed (Signature).

Accounts: Deutsche Bank, Branch Munich,
Neuhauser Strasse - Post Office Transfer Account
Munich 196 .

09 1143 3 T. 453 .

Affidavit.

I, Georg Rottner, domiciled in Munich 9, Theodolinderstrasse 96, having been warned that I should render myself liable to punishment by giving a false testimony, state under oath, voluntarily and without any duress, as follows:

I have been employed from 1928 until this day with the Agfa Camerawerk and was during the war an Obermeister (first foreman).

In my department Polish women from the penitentiary Stadelheim were employed. I quite well remember that some Polish women, who were to be released from prison, repeatedly asked to be employed again with us after their release from the penitentiary.

Munich, 16 January 1948

(signed:) Georg Rottner

The foregoing signature, executed before me, Carl Weyer, Assistant Defense Counsel before the American Military Tribunal at Nuernber, this day, 16 January 1948 by Georg Rottner, personally known to me, is herewith certified.

(signed:) Carl WEYER

Affidavit.

I, Dr. Alfred Lingg, domiciled at Munich-Gruenwald, Hinfenburgplatz 2, having been warned that I should render myself liable to punishment by giving a false testimony, state herewith under oath voluntarily and without duress as follows:

When, in June 1944, our production was interrupted for a short time by bomb damage, the judicial authorities withdrew a large part of the convicts who had been working in the ~~factory~~ manufacturing plant of the Camerawerke. The Regional Armament Office which was in charge of the allocation of labor, tried to get the convicts returned for the manufacturing of ~~fuses~~. Since the judicial authorities could not be induced to desist from their opposition, the Special Committee K VIII, which was responsible for the production of ~~fuses~~ and could not do without our production capacity for matches, intervened and allocated us 500 concentration camp prisoners, who arrived at Munich in the middle of September

signed: Dr. Alfred Lingg

I, attorney-at-law, Dr. Ernst Aschenbach, Defense Counsel before the American Military Tribunal at Muernberg, herewith certify the above signature of Dr. Alfred Lingg, who is personally known to me, executed this day, 15 December 1947 in my presence.

(signed:) Dr. Ernst Aschenbach

Gustav Ziegler

Chief Engineer

Munich

In reply to an inquiry by Attorney-at-Law Dr. E. and Aschenbach, I, Gustav Ziegler, Munich 9, Rotbuchenstrasse 34, am in a position to testify as follows:

1) From 1924 until 1945 I was employed as a chief engineer and manager with the Agfa Camerawerke at Munich and have been technical director of this firm since September 1945.

2) After the bomb damage in the Agfa Camerawerk in July 1944 the judicial authorities withdrew the major part of the convicts working with our firm. As a replacement, 500 female concentration camp prisoners were allocated to us at about the middle of September 1944. An aptitude test showed that 330 of these prisoners were unsuitable for our work (watch movement fabrication), since the necessary conditions, i.e. good eye-sight, steady hands and technical adaptability were lacking. As, in these circumstances, we were unable to fulfil our obligations for delivery, I informed the management of the result of this test. A short time afterwards, an officer of the Regional Armament Office Munich called on our firm, accompanied by the Dachau Labor Allocation Officer, to whom I repeated the result of our test, explaining the difficulty of manufacturing most delicate watch-movements ^{with} unsuitable labor. A few days later I was informed by the management that by order of Dachau several employees of our works were to be sent to Ravensbrueck in order to arrange there for an aptitude test, so as to avoid return transportations in view of the uncertain transport situation.

Thereupon, the head of the watch movement manufacturing department Oberwerkmeister (senior foreman) Hans Maier, and the engineer responsible for aptitude tests, Ernst Sachs, were sent to Ravensbrueck.

The fore-going statements are the truth to the best of my knowledge and I am prepared to take an oath upon them.

Munich, 12 November 1947

Gustav Ziegler

Statement under oath.

I, Gustav Ziegler, domiciled at Munich, 9, Rotbuechenstrasse 34, having been warned that I should render myself liable to punishment by giving a false testimony, state and declare voluntarily and without duress as follows:

My fore-going statement is the truth.

Gustav Ziegler

I, Dr. Ernst Aschenbach, attorney-at-law, Defense Counsel before the American Military Tribunal at Nuernberg, herewith certify the fore-going signature executed in my presence by Gustav Ziegler, who is personally known to me.

Dr. Ernst Aschenbach

Affidavit.

I, Ernst Sachs, domiciled at Munich 9, Brucke fischerstrasse 24, having been warned that I should render myself liable to punishment by giving a false testimony, state herewith voluntarily and without duress as follows:

I have been employed from 1927 until this day with the Camerawerk Munich of the I.G. Farbenindustrie as an engineer. One of my tasks was to carry out aptitude tests when new workers were to be hired. When, in autumn 1944, workers from the Ravensbrueck concentration camp were allocated to the Camerawerk, I received the order to test their aptitude as well, as was customary in the Camerawerk. For this purpose I visited the camp at the beginning of October 1944.

I exactly remember that I used the same testing devices for the Ravensbrueck aptitude tests as I have been using here in Munich for years, and, to be precise, for German labor. I have been engaged in the performance of aptitude tests since 1930.

I still vividly recollect, incidentally, how the prisoners at Ravensbrueck scrambled to be accepted for Munich.

Munich, 16 January 1948

(signed:) Ernst Sachs

I, Carl Weyer, Assistant Defense Counsel before the

American Military Tribunal at Nuernberg, herewith certify the
above signature, executed in my presence by Ernst Sachs,
personally known to me.

signed: Carl Weyer.

Affidavit.

I, Josef Bergmueller, domiciled at Munich 9, Walchenseplatz 8, having been warned that I should render myself liable to punishment by giving a false testimony, state and declare voluntarily and without duress as follows:

I was employed with the Agfa Camerawerk as a payroll bookkeeper and deputy chief of the payroll office until the end of July 1945. Since 27 July 1945 I have continued being employed in the Agfa Camerawerk as office chief of the payroll office.

According to the payroll index I ascertained that during the period between 1 September 1944 and the occupation of Munich by the Americans the weekly hours worked in the G-Department for all female labor - free female workers, convicts and prisoners amounted to 52 to 60 h. In the total average the working time amounted to roughly 54½ hours per week. There was no Sunday work.
Munich, 16 January 1946

(Signed): Josef Bergmueller

I, Carl Weyer, Assistant Defense Counsel before the American Military Tribunal at Nuernberg, herewith certify the foregoing signature, executed in my presence by Josef Bergmueller, personally known to me.

Signed: Carl Weyer

DOCUMENT BOOK II GAJEWSKI

CERTIFICATE OF TRANSLATION

27 February 1948

We, Mary Flack Perry, AGO No. 20136, John B. Robinson, AGO No. X-045350, Joseph E. Goesser, AGO No. 397993, Adolph Lusthaus, AGO No. B 398010, Fred Salomon, AGO No. A 446622, Robert Hoffmann, AGO No. 20162, hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Document Book II Gajewski.

Mary Flack Perry
AGO No. 20136

John B. Robinson
AGO No. X-045350

Joseph E. Goesser
AGO No. B 397993

Adolph Lusthaus
AGO No. B 398010

Fred Salomon
AGO No. A 446622

Robert Hoffmann
AGO No. 20162

Case 6
Defense

TRIBUNAL VI
CASE VI

DOCUMENTENBOOK III

for

Dr. Fritz Gajewski

submitted by

Dr. Wolfram v. Metzler,
Attorney,

Defense Counsel

Gajewski



Index of Document Book III
for Dr. Fritz Gajewski, Case VI

Gajewski No.	Exh. No.	Subject	Page
40		Affidavit of Dr. Alfred M i l l e r , Direktor and manager of the whole film production until June 1945. Dr. Miller states that the expansion of the Wolfen photo- factory had nothing to do either with the four- Year Plan or rearmament but was merely a natu- ral sequence of improvements in quality and in- creased purchasing power after 1933. In the field of photography there was no cooperation with men- tioning with the Wehrmacht and no research work in the field of military technique. The whole technical progress of the film factory in the field of photography was made available to Ameri- can economy. During the German occupation of France, Belgium, etc., Farben exerted no influen- ce whatsoever on competing firms of the photographic industry.	1
41		Excerpt from the minutes of the meeting of the Technical Committee of Farben of 7 August 1939 which shows that the Landsberg work of Sparte III of Farben was established for the purpose of producing photographic articles, especially colour film and colour paper, as a further ex- pansion of the Wolfen film factory was impossible.	10
42		Excerpt from the minutes of the session of the Technical Committee of Farben of 9 April 1942 showing that the Perlon production (fully synthe- tic fibers, etc.) was begun in the Landsberg work.	12
43		Affidavit of Heinrich van Beek, manager of the Sales Department Cellulose of the Sales Combine Agfa in Berlin until the end of the war. The witness states that the expansion of cellulose production of Farben was kept within the natural consumption capacity of the textile market	13

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still 43		and that Farben evaded an excessive expansion as asked for by the Reich Ministry of Economics. Farben's proportion of the German cellulose production, owing to Farben's opposition and the creation of new factories encouraged by the State, declined from about 95 % in 1933 to 16.9 % in 1944.	
44		Affidavit of Hermann D u n s t , Direktor and manager of the Sales Department artificial silk of the Sales Combine Agfa in Berlin up to the end of the war. Dunst confirms that increased production in the field of artificial silk was on a small scale in 1933 - 1939, though it would have seemed appropriate to fall in with the Government sponsored program of self-sufficiency by considerably increasing artificial silk production. The affidavit contains the comparative figures of the German artificial silk production and Farben's share of it.	17
45		Excerpt from a survey of the Reich Association Chemical Fibers on German production of cellulose and artificial silk in the years 1935 - 1944.	21
46		Excerpt from a survey of the Reich Association Chemical Fibers on the production of the individual makers of cellulose in Germany during the years 1940 - 1944 showing Farben's share in these years.	22
47		Excerpt from a survey of the Reich Association Chemical Fibers on the German artificial silk production, split up into producer groups showing Farben's production figures.	24
48		Affidavit of Hans K e h r l , who was in charge of the production of chemical fibers first at the Reich Ministry of Economics and later at the Speer Ministry. The witness	26

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still 48		testifies that the entire production and erection of new plants program in this field was regulated by Government directives, which fixed both production figures and quality. The managers of the individual work or firm were answerable to the State authorities for the fulfillment of these directives.	
49		Affidavit of Dr. Eduard Hartmann former manager of Fach group Chemical Fibers, as well as of the Reich Association Chemical Fibers, and of the Artificial Silk Sales Office. He confirms that the makers of cellulose and artificial silk produced according to strict directives; that Dr. Gajewski often opposed the demands of the competent Reich authorities; and that, therefore, in 1941, he had to resign from his office as chief of the Fach group "Production of Chemical Fibers". Added to this affidavit is the order of 23 December 1940 concerning the enforcement of the production program of chemical fibers.	28
50		Affidavit of Dr. Heinrich Fink, chemist at the Rottweil works of Farben's Sparte III. Dr. Fink states that Farben's Sparte III was neither concerned with the research nor the regulation of the production or sale of the powder at Rottweil, but that the powder section of the Rottweil plant was only working on a contract basis for the Dynamit Actien-Gesellschaft (DAG) and the Rheinisch-Westfälische-Sprengstoff A.G. (RWS).	32
51		Affidavit of Dr. Heinrich Fink, concerning the research on Hexogene and the small pilot plant in the Rottweil works.	37
52		Affidavit of Dr. Harald Mediger, Direktor of the Patent Department of Sparte III of Farben, until 1945. Dr. Mediger states that	41

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52 ctd		Sparte III from 1931 to the outbreak of the war with USA made available to the American industry without any restrictions as to the date or the scope of their use, all of its more important technical developments.	
53		Affidavit of Adalbert F e i n d e l , head of the photographic export department of the Agfa Sales Combine at Berlin explaining in greater detail the gentlemen agreement mentioned in his affidavit of 17 November 1947 with Kodak-Pathe (Doc. No. 11 in Gajewski Volume I) and stating that the agreements in question had been made in an amicable spirit.	46
54		Statement certified by notary public of the firm Gevaert, made by the two directors Meus and Parein, stating that the attitude of IG-Farbenindustrie "Agfa" towards Gevaert was loyal during the occupation of Belgium and that no pressure was brought to bear on them.	50
55		Affidavit of Erich H e r r m a n n , Prokurist and head of the personnel department of the central office of the Agfa Sales Combine in Berlin. In his capacity as a participant at a conference between Dr. Gajewski and his commercial colleague Otto in 1933, he confirms that the two of them, in spite of their objections to National-Socialism, had, for opportunity's sake, thought it right to join the Party.	52
56		Affidavit of Dr. Alfred M i l l e r , confirming that Dr. Gajewski, in spite of the urgent demands of Party agencies, protected Jewish co-workers for years until they had succeeded in finding employment abroad, and that Gajewski, in spite of the demand of the Party did not dismiss any Jehovah's witnesses employed in the witness's department.	54

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57

Affidavit of Heinz Karl F a n s l a u ,
chief of the administration of the general
SS in the territory of Saxonia from 1934 -
1938. Fanslau states that the visit which,
in 1936 or 1937, he paid to the film factory
together with the head of the SS Administra-
tive Office, Pohl, took place on his own ini-
tiative and was not a result of an invitation
of Dr. Gajewski's; Dr. Gajewski did not show
him over the film factory and that no and that
had anything to do with the duties of the SS
Administration was had in view in connection
with this visit.

56

A f f i d a v i t .

I, Dr. Alfred H i l l e r , residing in Bissingen near Donauwoerth, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice at Nuremberg.

Until after the end of the war I was Direktor and manager of the entire film production of Farben's works Wolfen near Bitterfeld. Before the occupation of Wolfen by Russian troops I was, together with other leading officials of the film factory, evacuated to Munich on 14 June 1945 on orders of the U.S. Military Government. This terminated my activities at Wolfen. Owing to the position I held up to this time I have exact knowledge concerning the developments in the production of photographic articles manufactured at Wolfen and I am therefore in position to make the following statement: -

(1) The extension of the production of photographic films of all kinds at Wolfen progressed quite organically in accordance with the inventions and improvements in this field on the one hand and the marketability of the products on the other hand. It cannot be said that the capacity was excessively extended in the film sector

for instance in connection with the Four-Year Plan. This is already evident from the fact that, as far as I know, the field of photography never was included in the Four-Year Plan and that none of the authorities responsible for the plan ever took any interest in it. The Four-Year Plan only envisaged autarchy for such vital commodities as -- on account of the lack of an adequate German production or the want of raw materials -- had to be imported from abroad against foreign exchange, which two factors undoubtedly were not present in the production of photographic films.

Insofar as an increase of the productive capacity of photographic films took place it was rather -- as already referred to in the foregoing -- the natural outcome of inventions, resulting in a considerable improvement of the quality. In this connection mention must be made of the invention of the fine grain emulsion, improving at the same time the sensitivity to light, which fact left us supreme in this field for several years to come and enabled us to gain a corresponding advantage over our competitors abroad and at home. The same is true to an even greater extent in the case of the ingenious invention of the Agfa colour process in a form generally applicable in amateur photography as well as in the film industry. This invention satisfied a long felt need of the people interested in photography and in the film and a further increase of the film production was the natural outcome, especially since we had no competition in this field.

at least not in Europe. The outcome of this development was that we decided in 1938 to build an additional factory for the production of films in Landsberg on the Warthe, since there was no possibility to extend the production of films in our works at Wolfen. This place was chosen because it had good communications with Wolfen, and because there was little industry there and a plentiful reservoir of labor, whereas this combination could not be found in or near Wolfen, which was in the center of the Middle-German industrial area.

The above-mentioned technical prerequisites for an increase of the photo film production went parallel with the growing capacity of the market to absorb the products, owing to the raised standard of living due to ^{the} steady elimination of unemployment by the work creation measures after 1933. The number of people which now were willing and able to spend money also for certain luxuries and thus could be interested in photographic articles by a corresponding advertising campaign increased tremendously and the higher production could be sold without difficulties, particularly on the German market. But also the export trade took a favorable turn, since - as mentioned above - we were able to offer quality products which were not at the disposal of the European competitors at least.

(2) Thus, it lay in the nature of the matter

that an extensive cooperation with the Wehrmacht in the field of films was altogether outside of consideration. We maintained contact with the Wehrmacht rather for the purpose of accommodating them in regard to improvements in which they were interested, as for instance, increased sensitivity to light, a finer grain, faster development process, a direct positive, etc. However, these were merely long standing wishes which we and with us all the other civilian consumers of photographic products had entertained for years. Now requests or assignments were never submitted to us by any Wehrmacht instances. We were not engaged in purely military-technical research work in connection with the photo film. Besides, the Luftwaffe had their own photographic research laboratory, the so-called Deutsche Versuchsanstalt in Mlershof, which was working on a process of its own for the increase of the light sensitivity of the film. There also was some instance in the army, whose name, however, I do not know, which was engaged, for instance, in research work in the field of infra-red photography. In connection with the latter, we only exercised occasionally advisory functions at the request of the competent instances. Since we did not consider the above-mentioned research institutions as particularly well-qualified in this field and as we wished to remain independent in our own research work, we repeatedly declined financial support, offered to us by the Luftwaffe and the Wehrmacht.

for the purpose of furthering our work.

We were rather surprised when we were ordered at some time before the outbreak of the war to prepare a so-called Mob-Plan (mobilisation plan). I no longer remember who had given this order. In any case, no one told us what would happen in the case of war, for instance, whether we still would be able to export, how much could be produced in Germany, the number of workers left to us, etc. In consequence thereof, we simply planned in this case to curtail production and gave rather vague production figures, and quite naturally it turned out that this could not be handled as had been planned. Already before the outbreak of the war we had repeatedly pointed out the fact that we were not in a position to make special preparations for the case of war, such as certain conversions, but that in such a case we simply would have to produce what would be requested by the competent authorities. Thus, contrary to our expectations, we had to produce much more than we had planned before its outbreak. I especially remember the extensive orders of the film producers, particularly of the UFA, whose production was fixed by the Reich Propaganda Ministry. To state it briefly, planned production according to a pre-conceived Mob-Plan never took place in our enterprise.

We also never hoarded film products of any kind at the request of the Wehrmacht or of any State agencies.

It would hardly have been possible to hoard these film products since it is well-known that they only possessed a limited durability.

From the above it follows that the correspondence with the Wehrmacht was only a small fraction of our total correspondence and involved furthermore only incidental and bureaucratic matters such as standardization measures, conditions in regard to the acceptance of deliveries, etc. Representatives of the Wehrmacht only seldom visited our film factory at Wolfen. Likewise, our representatives went to see the Wehrmacht instances only occasionally.

In conclusion I wish to state that the film articles, of which deliveries were made to the Wehrmacht, particularly during the war, were not the outcome of new inventions or of suggestions on the part of the Wehrmacht. In every case, the items in question were articles which had been regularly produced for years and some of them were already produced before the first world war. This is true in the case of the aerial film, which had been supplied for years for surveying purposes from the air to the Lufthansa and also to customers abroad. Similar films were also put on the market by competitors abroad, for instance, by Kodak in Rochester, N.Y., Gevaert in Antwerp, Ferrania near Genoa/Italy and also by our German competitors, Perutz and Zeiss-Ikon.

A similar state existed with regard to the infra-red plates and infra-red films and also in regard to the production of

the antidive eyeglass (a film attachment with a relatively thick layer of gelatine) and foils which were developed in the course of testing new synthetic materials for the production of non-inflammable film linings. All these products were also used for purely peaceful purposes.

(3) All our technical improvements were made available to the American industry. An all-embracing contract was concluded between the Ansco Corp., Binghamton, NY., and the I.G. Farbenindustrie AGFA already in the second half of the twenties which resulted in a participation on the part of the AGFA in the Ansco Corp., the essentials of which consisted in an agreement of unrestricted mutual assistance in the field of photography by the exchange of improvements and experiences. In view of the fact that the technical standard was rather low at the Ansco in comparison with the AGFA we sent engineers, chemists and skilled workers to Binghamton, made workshop drawings for the Ansco, shipped machines of our own design and supplied the Ansco all our latest inventions and experiences until war broke out with America. Besides, the Ansco was permitted to conduct its own research work and we put our own chemists to its disposal for this purpose. We supplied the Ansco freely with everything they needed, which included also our advice in case of manufacturing difficulties. They currently received our internal reports of the individual manufacturing sub-departments. Representatives of the Ansco visited the

film factory as well as the photo paper factory in regular intervals. Even as late as 1936 Dr. Eckler of the Ansco and I visited the camera plant in Munich.

(4) In conclusion I should like to refer to the attitude which the I.G. Farben Industrie AGFA displayed during the war in regard to the competitor firms in the occupied territories. No member of the film factory ever set foot inside the factories of Kodak/Patho in Vincennes, Gevaert in Antwerp, Ferrania in Italy or into the Kodak factory Berlin-Koepenick, which belonged to the Americans. Rather, we maintained the most friendly relations with the owners of the firm of Gevaert and the gentlemen of Kodak/Patho. We interceded on behalf of these firms with the result that these firms were permitted to produce during the period of occupation. Pursuant to a contract, Gevaert produced for us during this time 5,000 m² of portrait film per month. Besides, the trustee appointed for Gevaert by the German Military Administration in Belgium was not supplied by us, but the official in question was a former leading gentleman of the Gevaert/Voigtlaender/Schering-Konzern who, as far as I know, exercised his function in complete agreement and friendship with Herr Carlo Gevaert. Thus, the Agfa not only did not undertake anything during the German occupation of the countries concerned which could be construed as an attempt to gain influence upon the above-mentioned competitor firms but, moreover,

GAJEWSKI NO. 40
EXHIBIT NO.

was instrumental that these firms were permitted to continue
their operations.

Bissingen, 23 February 1948.

DR. ALFRED MILLER

(signed) Dr. Alfred Miller

I hereby certify the authenticity of the above signature
of Dr. Alfred Miller, personally known to me, and declare that
it was executed in my presence.

Bissingen, 23 February 1948.

Seal of the community of

Markt Bissingen, Bayern.

(signed) Labor

Burgomaster.

Excerpt from the minutes (page 2) covering the meeting of the
Farben Technical Committee, held in Berlin on Monday, 7 August 1938
at 9.30 hours.

- 2 -

I. New Photographic Factory in Landsberg.

Riess

The factory is situated east of Landsberg, about 50 meters
above the Werthe river, on a site almost two square kilometers
large and bordered in the north by the Reich road No. 1, which
connects Berlin with Koenigsberg.

The film plant is scheduled to turn out 35 to 40 % of the
Wolfen Works, and the paper factory at least 30 % of the Leverkusen
plant.

The new project is due to the output rising from year to year,
the impossibility of additional enlargements in Wolfen, and the
manufacture of new products like colored films and papers. The
total costs without the recently planned "Cellit" factory amount
to roughly 70 million RM and are composed as follows:

in thousands of RM

1. Real estate purchase	755
2. General factory installations	8,146
3. Welfare	5,321
4. Air raid protection	1,050
5. Film factories	28,082
6. Paper factories	8,524
7. Testing laboratories for film and paper	2,918
8. Plants and technical warehouses	1,508
9. Power plants	12,633
10. Miscellaneous	938
	69,875
	=====

The testing laboratories will not be built in Landsberg on this scale; but somewhere else, at Wolfen probably, a new building will have to be erected.

The factories are planned to start operations by the end of 1940, and the completion of all construction work is expected for the end of 1941.

- 3 -

I herewith certify that the document on the reverse side is a true photostatic copy of page 2 of the minutes of the Technical Committee meeting, held on 7 August 1939; I also confirm that the statements concerning the building of the Landsberg works close with the words: "Expected for the end of 1941".

Munich, 2 February 1948.

(signed) Carl WEYER
(Carl Meyer)
Assistant Defense Counsel
for Dr. Gajewski.

Excerpt from the minutes (page 2) covering the meeting of the
Farben Technical Committee, held in Frankfurt on the Main on
Thursday, 9 April 1942, at 9.30 hours.

- 2 -

II. Credits.

- 1) Development of new construction work
in the Main Group 3.

Piess

The extension of the various works was discussed by means of
charts. Additional credits amounting to 44.2 million RM were re-
quested and granted for further work in the "Parlon-field" at the
Landsberg works.

.....

I herewith certify that the foregoing document is a true
photostatic copy of page 2 of the minutes of the Farben Technical
Committee meeting which was held on 9 April 1942.

Munich, 2 February 1948.

(signed) CARL WEYER
(Carl Weyer
Assistant Defense Counsel
for Dr. Gajewski.

Affidavit.

-

I, Heinrich van Beek, residing at Krefeld-Uerdingen, Bahnhofstr. 52, employed by "Farbenfabriken Bayer" as sales director for rayon and cellulose, have been informed that I would make myself subject to punishment if I were to give a false affidavit. I herewith affirm that my statements are true and were made in order to be presented as evidence to the Military Tribunal No. VI, at the Palace of Justice in Nuremberg, Germany.

Since the inception of Vistra fiber (cellulose) in 1921, I managed the Sales Departments Vistra and Rayon of the former "Koeln-Rottweil A.G.", and after this company merged with Farben at the end of 1926, I took charge of Farben's Sales Department Cellulose until the collapse. I am, therefore, well informed about the development of Farben's cellulose business, which enables me to make the following statements:

Upon request of the Reich Ministry of Economics, the former Koeln-Rottweil A.G. changed, beginning with 1919, its plants from a war to a peacetime basis and took up the production of Vistra fibers and rayon. Farben continued this production after it had taken over the Koeln-Rottweil A.G. Cellulose was manufactured by Farben according to the three well-known viscose, copper and acetate processes.

In addition, during the war completely synthetic fibers, such as "Pe-Ce" and "Perlon" fibers were produced on a small scale.

Production was increased in the ratio as the textile market was able to absorb it. When in 1933 to 1934 the Nazi regime set up its first fiber program, which provided for a yearly German cellulose output of 100,000 tons, Farben took up the issue and expressed the opinion that, in view of the buying power of the market and for other economic reasons, such an expansion could not be justified. That Farben subsequently conducted its policies accordingly is shown from the following comparison of our cellulose production figures with that of the German industry in general:

Cellulose - Production			
Year	Total tonnage t	Farben tonnage t	Farben percentage
1921	100	100	100.---
1922	400	400	100.---
1923	400	400	100.---
1924	400	400	100.---
1925	500	500	100.---
1926	50	50	100.---
1927	800	800	100.---
1928	900	900	100.---
1929	1.600	1.600	100.---
1930	1.720	1.720	100.---
1931	2.169	2.169	100.---
1932	1.200	1.102	91.83
1933	4.000	3.786	94.65
1934	7.200	6.135	85.21

Year	Total tonnage	Farben tonnage	Farben percentage
1935	19.574	13.018	66.51
1936	46.306	20.317	43.87
1937	106.180	33.977	32.—
1938	160.471	about 50.000	31.16
1939	204.263	" 50.000	24.47
1940	247.183	51.682	20.91
1941	297.160	55.478	18.66
1942	328.442	54.118	16.48
1943	320.397	51.969	16.23
1944	246.913	41.710	16.90

until October inclusive.

Remarks:

The above statements for the years 1920 through 1934 are based on Farben files.

The figures for the years 1935 through 1939 are based, as far as they refer to the entire German cellulose production, on the statistics of the Reich Association Chemical Fibers, and to the extent as they concern the Farben share, on Farben files.

The figures for 1940 through 1944 are based on the statistical records of the Reich Association Chemical Fibers.

Already since 1936, the allocation and sale of the cellulose produced was regulated as to quantity and quality, first by the Price Control Office for Silk, Rayon and Cellulose, Berlin, and subsequently by the Reich Office for Textile Economy, Berlin.

Krefeld-Uerdingen, 2 February 1948.

(signed) HEINRICH VAN BECK
(Heinrich van Beek)

Document Roll No. 88 for 1948.

(Crossed out: I herewith certify the foregoing signature)

Crossing out of one line approved.

I herewith certify and confirm the foregoing signature of Herr Heinrich van Beek, sales director, living at Krefeld-Uerdingen, Bahnhofstrasse 52, who, being known to me, appeared before me, Hermann Paltzer, Notary Public for the Court of Appeal District Duesseldorf, at my office in Krefeld-Uerdingen on 2 February 1948 where he appended said signature.

Krefeld-Uerdingen, 2 February 1948.

(signed) PALTZER
Notary Public

(Stamp and official seal of)
Hermann Paltzer
Notary Public in Krefeld-Uerdingen

Statement of Costs:Value involved: RM 3,000.-

Fees according to Articles 144, 26 and 39
turnover tax

Rh 4.--
" --.12
RM 4.12

(signed) PALTZER

A f f i d a v i t .

I, Hermann B u n s t , residing at Berlin-Lichterfelde West, Ringstr. 67, Agfa sales director for rayon and plastics, have been informed that I would make myself liable to punishment if I were to make a false affidavit. I herewith affirm that my statements are true, and were made in order to be introduced as evidence before the Military Tribunal No. VI, at the Palace of Justice, Nuremberg, Germany.

Since 1921 until the collapse in April 1945, I managed the Agfa Sales Department Rayon and I am, therefore, well informed about the development of the Farben rayon business and am, thus, in a position to make the following statements: Farben manufactured all three well-known rayon types, namely viscose, copper and acetate rayon. During the war, Farben, according to production quotas imposed, also produced the so-called fully synthetic rayons: "Perlon Silk" and "Pe-Ce-Silk". We primarily produced viscose rayon (it amounted to about 65 % of Farben's total rayon production), which was carried on first at the Wolfen works, and since 1926 also in the rayon factories in Prennitz, Bobingen and Rottweil, absorbed by Farben in a fusion with Koeln-Rottweil A.G. Production was increased in these factories

only on a small scale before 1933, or later between 1933 and 1939, although it would have appeared logical to promote through a substantial stepping up of rayon output, also in the textile raw material field the self-sufficiency striven for by the Nazi regime. A similar situation obtained concerning the copper rayon production at the Dormagen works, and the acetate rayon production in the Berlin-Lichterfelde factory. The production quotas imposed after the outbreak of the war on Farben and the rest of the German rayon producers, and the ensuing rise of output, concerned not only the above-mentioned fully synthetic rayons but in the first place also the production of a special viscose, or rather a special copper rayon (named Cord-Silk), which was urgently needed as a filp in the manufacture of tires for automobiles and airplanes. Although Farben was the first of all German rayon manufacturers to turn out usable Cord-Silk, it increased production only to the extent which was unavoidable under the force of circumstances, and Farben left it up to competitors to substantially increase the making of Cord-Silk.

The accuracy of my statements is confirmed by the production and turnover figures following below. These figures are almost exclusively based on statistical records of the Reich Association Chemical Fibers (established at the beginning of 1942 by a decree of the Reich Ministry of Economics) of the Rayon Sales Office, GmbH,

(Viscose-Silk-Syndicate), and the Copper-Rayon-Syndicate, GmbH.

The original records are available for inspection.

Total sales of viscose rayon by the Rayon Sales Office, GmbH,
between 1931 through 1943, on the German market;

	Tonnage	Farben's percentage
1931	29.555	14,4
1932	22.811	15,0
1933	22.712	15,3
1934	35.567	18,4
1935	28.667	18,6
1936	37.734	20,5
1937	42.625	20,0
1938	48.267	17,7
1939	45.961	16,4
1940	57.714	15,4
1941	59.611	16,4
1942	58.399	13,6
1943	52.393	14,0

Total sales of the Copper Rayon Syndicate, GmbH., between
1938 through 1944, on the German market and abroad:

	Tonnage	Farben's percentage
1938	11,057	31,0
1939	11,598	30,5
1940	14,021	24,4
1941	17,235	24,1
1942	15,344	22,3
1943	15,616	23,3
1944	11,825	20,5

Acetate-rayon production figures of the Reich Association
Chemical Fibers for the years 1940 through 1942:

	Tonnage	Farben's percentage
1940	6,929	25,6
1941	7,861	30,0
1942	7,065	31,0

Cord-Silk production figures of the Reich Association Chemical
Fibers for the years 1940 through 1942:

	Tonnage	Farben's percentage
1940	7.186	20,0
1941	13.389	13,6
1942	18.313	13,0

Total production of the German rayon producers in the years 1938
through 1942, according to the records of the Reich Association
Chemical Fibers:

	Tonnage	Farben's percentage
1938	65.766	20,9
1939	73.579	20,7
1940	79.671	19,1
1941	90.878	19,7
1942	89.280	17,8

Berlin, 3 January 1948.

(signed) HERMANN DUNST

The foregoing signature of Hermann Dunst, residing at
Berlin-Lichterfelde West, Ringstrasse 67, was today appended be-
fore me, Fritz Naumann, Deputy Defense Counsel before the
American Military Tribunal in Nuremberg, which fact is herewith
certified and confirmed.

Berlin, 3 January 1948.

(signed) FRITZ NAUMANN
(Fritz Naumann)

German Production ¹⁾ of Cellulose and Rayon

(inclusive of Gouvernement General)

in tons

	<u>Cellulose</u> ²⁾	<u>Rayon</u> ³⁾
	Total	Total
1935	19.574	44.758
1936	46.306	46.065
1937	106.160	57.381
1938	160.471	65.766
1939	204.263	73.579
1940	247,183	79.671
1941	297,160	90.873
1942	328.442	89.280
1943	320.397	96,386
1944 (until October)	246.913	77.592

- 1) Since October 1938 including Austria
 " November 1938 " Sudetengau
 " August 1941 " Alsace
 " October 1941 " Warthegau
 " 1940 " Gouvernement General.

2) Including artificial jute, agricultural binding yarns, fully synthetic fibers, casein fibers, rayon offal and cellulose waste.

3) including Cord and T rayon, ribbons and hard rayons, as well as since January 1944, fully synthetic silk and bristles.

RCF. Department Statistics
Ha/Ve.

I herewith certify the foregoing chart concerning "German production of cellulose and rayon" to be a true excerpt from page 2 of the Monthly Reports of the Reich Association Chemical Fibers, Berlin C 2, Department Statistics and Market Observation, 18th issue, of 23 November 1944.

Munich, 18 February 1948.

Administrative Assistant
in case VI
(signed) Dr. Mueller.

German Production of Cellulose according to Producer Groups
since 1940.In Tons
(including offal and rayon waste) 1)

	Ty- pe	1940	1941	1942	1943	1944 (first half)
Glanzstoffgruppe 2)	V	48.224	50.301	50.149	45.845	15.993
1,0 Viscose	V					19.315
copper	V					6.704
acetate	A					252

I.G. Farben Industry		51.682	55.478	54.118	51.969	26.271
Total						

Phrix-Werke A.G. 3)	V	58.141	74.319	90.604	95.965	46.654
Z. M.R. Viscose and Casato	V					46.856
Acetate (Rhodia)	A					60
Cellulose and Rayon Ring 4)						
total		50.084	74.842	91.587	90.342	46.916

Saechs. Zellwolle	V	14.591	14.298	14.834	14.474	7.432
S.d. Zellwolle	V	21.880	25.186	24.303	19.002	10.204
Dr. Wacker	A	991	948	805	882	412
Kampf & Spindler	V	572	595	600	617	316
Miscellaneous M's Factories-Viscose (waste)	V					408
copper	K					295

Miscellaneous, Rayon factories (waste) 5)						
together		1.018	1.194	1.442	1.301	704
Total		247.183	297.160	328.442	320.397	151.902

Viscose	V	233.223	283.614	315.649	307.097	147.175
copper	K	10.742	10.892	11.423	11.875	7.000
acetate	A	3.218	2.654	1.370	1.425	724

1) If the rayon works are part of any group, their rayon waste shall have been included in the figures of that group.

2) Vereinigte Glanzstoff-Fabriken A.G. W.-Elberfeld
Glanzstoff-Courtaulds GmbH., Koeln-Merheim
Spinnfaser A.G., Kassel-Bottenhauser
Tomaschower-Kunstseidefabrik A.G., Tomaschow
Chodakower Kunstseidefabrik A.G., Chodakow f)

f) Was cellulose producer in 1940 and 1941; since beginning 1942 treated rayon waste; since April 1944 was again cellulose producer.

3) Schlesische Zellwolle A.G., Hirschberg
Kunsaerkische Zellwolle A.G., Wittenberge
Rhein. Zellwolle A.G., Siegburg
Rhein. Kunstseide A.G., Krefeld.

- 4) Thuringische Zellwolle A.G. Schwarza
Lenzinger Zellwolle- & Papierfabrik A.G.
Lenzing-Agerzell
Spinnstoff-Fabrik Zehlendorf A.G., Zehlendorf
Bl. Zehlendorf
Spinnstoffwerk Glauchau A.G., Glauchau
Spinnstoffges. M.B.H. Cottbus
Zellgarn A.G. Litzmannstadt
Deutsche Acetat-Kunstseiden A.G.,
"Rhodaseta", Freiburg/Br.
- 5) J.D. Bomberg A.G., W. -
Oberbarnen
Fr. Kaestner, A.G., Pirna
Erste Bschl. Kunstseidefabrik A.G. Theresiental
Waz A.G., Freiburg/Br.

I herewith certify the foregoing chart concerning "German Production of Cellulose according to Producer Groups" to be a true excerpt from page 2 of the Monthly Reports of the Reich Association Chemical Fibers, Berlin C 2, Department Statistics and Market Observation, 18th issue, of 23 November 1944.

Nuremberg, 18 February 1948.

Administrative Assistant
in case VI

(signed) Dr. Mueller

German Production of Rayon according to Producers Groups since 1940.

in tons.

	Type	1940	1941	1942	1943	1944 (first half)
Glanzstoffgruppe 1)	V	34.787	30.690	41.645	45.650	23.125
J.P. Benberg	K	9.615	10.973	9.924	10.571	5.552
I.G. Viscose	V					6.630
copper	K					1.569
acetate	A					1.300
I.G. Farben Industry total		15.591	18.412	16.115	17.857	9,499
Spinnstoffwerk Glanzen	V	1.640	590	102	-	-
Spinnstofffabr. Zehlendorf	V	1.780	2.268	1.632	1.295	615
Fr. Kuettner Viscose	V					2.424
copper	K					860
Fr. Kuettner total		6.183	6.717	6.522	6.831	3.284
Lonzone	A	1.271	1.343	1.319	1.438	717
Rhodiaseta	A	3.620	3.989	3.387	3.530	1.515
Rhein. Kunstseide	V	2.891	5.479	6.538	6.875	3.537
Erste Böhm. Kunstseidefabrik	V	1.259	1.373	1.379	1.201	625
Schering A.G.	A	-	-	30	107	31
Kampf & Spindler	V	812	794	592	634	283
Hes A.G.	V	221	245	191	252	141
Bataac Zlin	K	-	-	-	45	73
Total		79.671	90.678	89.280	95.286	49.017
Viscose	V	57.814	65.630	66.790	72.961	37.400
copper	K	14.928	17.387	15.425	16.230	8.054
acetate	A	6,923	7.861	7.065	7.095	3,563
of which is hard rayon						
Zehlendorf	V	-	-	-	2	-
Rhein. Kunstseide	V	-	-	30	535	315
V.C.F.	V	4.019	9.255	14.439	17.977	9.660
Benberg	K	1.747	2.315	1.462	2.556	1.156
I.G. Farben-Ind.	V	1.420	1.819	2.382	4,563	3.004
		7.186	13.369	18.313	25.633	14.137

R.C.F. Department Statistics

- 1) Vereinigte Glanzstoff-Fabriken A.G., W-Elberfeld
 Glanzstoff Courtaulds GmbH. Koeln-Korheim
 Glanzstoff-Fabrik A.G., St. Poelten
 Glanzstoff Lobositz A.G., Lobositz
 Elsassische Kunstseidefabrik Zolmer
 Chodakower Kunstseidefabrik, Chodakow
 Tomaschower Kunstseidefabrik A.G., Tomaschow /)
 /) in 1940 and 1941 as rayon producer

I herewith certify the foregoing chart concerning "German Production of Rayon " to be a true excerpt from page 2 of the Monthly Reports of the Reich Association Chemical Fibers, Berlin C 2, Department Statistics and Market Observation, 18th issued, of 23 November 1944.

Munich, 18 February 1948.

Administrative Assistant
in case VI

(signed Dr. Mueller

Affidavit

I, Hans Kehrl, at present in the Palace of Justice Nuernberg, I.S.D., have been informed that I render myself liable to punishment if I make a false affidavit. I swear under oath that my following statements are the truth and know that they are to be used in finding a verdict in Military Tribunal VI.

I was the Chief of the textile department of the Reich Ministry of Economics from 1938 until October 1942, from November 1942 until October 1943 I was Chief of Main Department 2 of the Reich Ministry of Economics and from November 1942 until the end of the war Chief of the Raw Material and Planning Office of the Speer Ministry. Therefore I have gained an exact insight into the question concerning the management of production in the fields of cellulose and chemical fibers (staple fibers, synthetic silk etc.).

In this connection I declare the following:-

During the war the entire production in the above mentioned fields was based upon government production orders. These orders laid down the amount and quality of the production. Neither over-production nor under-production was permissible. The management of the individual firms and/or plants were responsible to the State Management Authorities for the fulfillment of the orders. It was therefore forbidden for anyone to manufacture as he wished;

rather all production not expressly order was forbidden.
In actual practise it would also have been impossible
since the primary and secondary products were only supplied
in a quantity sufficient for the order. Insofar as the I.G.
Farbenindustrie produced these primary and secondary products
itself it could dispose of them only in accordance with the
State Distribution Program.

These production orders also formed the basis for the
allocation of laborers through the State Labor Authorities.

I know that during the war the I.G. Farbenindustrie
was given an order to construct a Perlon factory (manufacture
of entirely synthetic, chemical fibers, also called Nylon).
During the war it was also forbidden to carry out construction
work without specific orders.

Muernberg, 16 January 1948.

Signed HANS KEHRL
(signed Hans Kehrl)

The above signature of Hans Kehrl, at present
Muernberg, Palace of Justice I.S.D., was rendered today before
me, Heinrich Grube, defense counsel before the American
Military Tribunal at Muernberg, which I herewith certify and
witness.

Muernberg, 16 January 1948.

Signature
(signed Heinrich Grube)

A f f i d a v i t .

I, Dr. Eduard Hertmann, residing at Berlin-Wilmersdorf, Konstan-
zer Strasse 15, former manager of the

Fachgruppe Chemische Herstellung von Fasern, Berlin,

Kunstseide-Verkaufsbureau GmbH., Berlin,

Reichsvereinigung Chemische Fasern, Berlin,

have been informed that I render myself liable to punishment if I
give a false affidavit. I herewith declare under oath that my state-
ment is true and was made in order to be presented as evidence before
Military Tribunal No. VI in the Palace of Justice in Nuremberg.

During the period of my activity as business manager of various
combines of the staple fiber and synthetic silk industry in Germany
it was made known to me that no enterprise was entitled to increase
its capacity in any way without obtaining the approval of the State
authorities. As proof for this I refer to the regulation of this
question in the "Decree to insure the Systematic Production of Chemi-
cally produced textiles of 23 December 1940". I am enclosing a copy
of this decree.

Furthermore, the manufacturers of staple fibers and synthetic
silk always received clear directives as to the production quantities,

chemical content and type of fibers to be produced for certain sections of the plan.

In addition to this it is known to me, from discussions and files, that it was just Dr. Gajewski who often objected severely against an increase in capacity of the fiber industry and that he was frequently in opposition to the demands of the Reich Ministry of Economics and/or the Armament Ministry. These opposing views finally forced Dr. Gajewski to resign his office as Chief of the Group "Production of Chemical Fibers" in the year 1941.

Berlin-Wilmersdorf, 14 January 1948.

Enclosure.

(signed) Dr. Eduard HARTMANN.

The above signature of the merchant Dr. Eduard Hartmann, Berlin-Wilmersdorf, Konstanzer Strasse 15, identified to the satisfaction of the Notary by temporary Identity Card No. 152/1104/46 of 17 August 1946, rendered before me is hereby certified by me.

Berlin, 16 January 1948.

No. 25 Year 1948.
of the Notary's register

(signed) DR. ERICH MEYER
Notary Public in the district of the
Prussian Supreme Court.

Fees: Value, total	RM 3,000.-
Fees in accordance	
with Para. 141 39/26	RM 4.-
plus turnover tax 3 %	" - .12
	RM 4.12
	=====

L.S.

Dr. Erich Meyer

Notary Public in the district of the Prussian Supreme Court.

The Notary
(signed) DR. ERICH MEYER.

D e c r e e .

to Insure the Systematic Production of Chemically produced Textiles
of 23 December 1940, published in the Deutsche Reichsanzeiger No. 304
of 28 December 1940.

On the basis of the Law concerning the creation of Compulsory
Kartells (Trusts) of 15 July 1933 (Reich Law Gazette I, page 486)
I decree the following:

Article 1.

(1) Until 30 June 1942

- (a) The construction of new enterprises or plants for the chemical production of textiles or fibers or the reactivation of plants which have been closed down for more than six months.
- (b) The expansion of installations in enterprises or plants for the chemical production of textiles or fibers,
- (c) An increase of 10 % of the amount produced in the month prior to the application of this decree permissible at this time for enterprises or plants for the chemical production of textiles or fibers,

will require my approval.

(2) Chemically produced textiles or fibers as defined in Section 1 include amongst others staple fibers, synthetic silk, Tiolan, Tiozell PC-fiber and Nylon.

(3) I retain the right to make the approval dependent on conditions or orders.

Article 2

He who violates the provisions of this decree or order (Article 1, para. 3), can be compelled by the police to comply with them in accordance with the measures provided by the law of the land. He will be punished by the Reich Economic Court with a disciplinary fine. If I make application for it. The disciplinary fine will consist of money; the amount of which is unlimited.

Article 3

This decree becomes valid on the day of its publication; it also applies to the Incorporated Eastern Territories.

Berlin, 23 December 1940.

The Reich Minister of Economics

for

(signed) Dr. Landfried.

A F F I D A V I T

I, Dr. Heinrich F i n k, residing in Rottweil, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal at Nuernberg.

I have been working as a chemist with the I.G. Farbenindustrie A.G. since 1916, and in this capacity have been employed as a powder expert in the works Rottweil, which subsequently was taken over by Farben. The works Rottweil, originally set up as a powder factory and which also had produced powder during the first world war, subsequently took up the production of artificial silk. Consequently, after the works was taken over by Farben, respectively at the setting-up of the three Farben Sparten, it was placed in Sparte III (photo, spun rayon and artificial silk) As to the control of the production and the sale of powder: — powder for military purposes was not produced in compliance with the Versailles treaty, the production was resumed in 1935 in connection with the re-establishment of the German Wehrmacht —

I am in a position to state the following from my personal knowledge of the circumstances:

All orders for powder and consequently also sales were cleared through either via the Dynamit

Aktion-Gesellschaft in Troisdorf or via the Kuernberg branch of the Rheinisch-Westfaelischen Sprengstoff A.G. or via the Kooln Rottweil A.G. in Berlin.

The Dynamit-Aktion-Gesellschaft, Troisdorf (DAG) was competent for military explosives, that is , for all orders for military types of powders placed by the competent procurement office of the OKW. Contact with the procurement office was maintained via the ¹liason of the DAG in Berlin. The orders for powder which the procurement office of the OKW placed with the DAG in Troisdorf were cleared through this ¹liason office. The DAG also made out the invoices for the deliveries.

The Rheinisch -Westfaelische Sprengstoff A.G. (RWS), Kuernberg branch, which subsequently was absorbed by the DAG, was competent for hunting ammunition, commercial powder and experimental powder. This is to be understood as to include all powder for hunting, sport and commercial purposes. Experimental powders were used to improve or change military powder . The respective orders were placed by Kuernberg. Another special branch of the RWS in Berlin was competent for the export of hunting and commercial powder and the respective orders were then forwarded to Rottweil. Also in this case the invoices were not made out in Rottweil but in Kuernberg or in Berlin.

After the fusion of the Kooln-Rottweil with Farben, the Kooln Rottweil A.G. in Berlin continued to exist as a sales corporation

without its own works for the export of powder and explosives.

Consequently the orders for, the sale of, and the settling of accounts for military powder for export — as far as this was produced after 1935 — were handled by this company.

The production schedule for military powder was prepared by the manager of the Rottweil works on the basis of instructions furnished him by the military procurement office. Trade requirements for commercial powder and hunting ammunition as determined upon by the RWS Huornberg.

As to research work the works were given development or research orders by the Reich Air Ministry or by the Army Ordnance Office if such research involved a whole set of related problems. With regard to such research work there was a continuous exchange of information of experiences with the DAG Troisdorf by means of regularly exchanged laboratory and manufacturing reports which were all forwarded to the Generaldirektor of the DAG, Herr Dr. Paul Mueller. He was also given oral reports from time to time. The research work orders of the military instances and the correspondence in this connection were cleared through "the Liaison Office of the DAG" in Berlin.

The sales prices for military powders were subject to a strict control on the part of the OKH. Farben also had no influence whatever on the prices of commercial powder, etc. as those prices were fixed exclusively by the RWS Huornberg and/or the Kooln/Rottweil A.G. Berlin.

Hardly any provisions had been made for new buildings or for purchases of new equipment in the direction of extending the powder plant at Rottweil and increasing its capacity since the resumption of the production of military powder in connection with the re-establishment of the Wehrmacht in 1935. A material extension of the plant would have been impossible in view of the difficulties the terrain presented. As far as an increase of the production took place it was achieved by putting the plant on a three shift basis. Besides, the production in the last war hardly exceeded 11 tons per day, whereas in the first world war it amounted to from 25 to 30 tons, aside from the production of approximately 15 tons of nitro-cellulose daily, which we no longer produced in Rottweil since 1918.

It may be seen from the above statements that Farben's Sparte III was concerned neither with research work nor with the control of the production nor with the sale of powder in the Rottweil works. The state of affairs may best be characterized by saying that the powder plant Rottweil did only "job work" for DAG and RMS.

Rottweil, 31 January 1948.

(signed) Dr. Heinrich Fink

I hereby certify that the foregoing signature of Dr. Heinrich Fink, residing in Rottweil, was attached today before me, Carl Weyer, deputy defense counsel at the

American Tribunal, 1948

Rottweil, 31. January 1948

(signed) CARL WEYER

A F F I D A V I T

I, Dr. Heinrich F i n k, residing in Rottweil, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal at Nuernberg.

I have been employed as a chemist by the I.G. Farbenindustrie A.G. since 1916, and in this capacity have been engaged in the works Rottweil in work pertaining to hexogene. In consequence thereof, I have exact knowledge of the development of hexogene and its uses.

The production of hexogene was described by Henning already in 1898; it was already mentioned in the first edition of Beilstein's book under "substances of unknown structure". Research work had been also carried on by the deceased chemist Dr. Eble in the laboratory of the so-called center Neu-Babelsberg before he joined the works Rottweil in 1910, which subsequently was absorbed by Farben. At the time only the so-called Henning-process was known, that is, the nitration of hexamethylene tetramin (dinitrate) with pure nitric acid. Research work was not carried on on hexogene in Rottweil during the first world war. I was ordered to undertake a more thorough examination of the nitration process only toward the end of 1926.

This research work, carried on with only very small quantities on a laboratory scale, resulted in the correction of the chemical formula for the synthesis.

From November 1927 on the work was continued by Dr. Hanz and from 1931 on by Dr. Herzog, however, not according to the nitration process but following out an idea of Dr. Ebbe - by the condensation process, the so-called "E"-salt process (E-Salzverfahren).

Thus, the "E"-salt process was not at all responsible for the discovery of hexogene, but was only a new process of producing hexogene. It was not based on nitration and thus did not require concentrated nitric acid, it was rather based on the condensation of formaldehyde with ammonium nitrite by means of acetic anhydride. The product obtained by this method represented a hexogene, which contained a few percent of three other substances of a similar structure which resulted in a lower melting point, but otherwise had no other disturbing effects.

It can be said with a great degree of certainty that in taking up and continuing the work on hexogene it was not at all the intention of Dr. Ebbe to add yet another category to the field of high grade explosives. Rather, he was interested in hexogene and similar high grade explosives only from the viewpoint of an expert on explosives. A main problem, to which he reverted again and again was the reforming of the production of smokeless powder, which was to be produced with the aid of a solvent.

and by following as closely as possible the method used in the production of black powder, if possible also by avoiding the use of nitrocellulose. In the middle of the late twenties a very exhaustive series of experiments were carried out in the tests. In this connection interest in hexogene was again stimulated, since it could be seen from publications that the study of this substance was carried on in numerous countries. Thus, research work on hexogene was resumed again. That Rottweil was not interested in problems related to explosives as such may be seen from the fact that the powder laboratory did not even possess the most elementary experimental equipment for the examination of explosives nor for measuring the explosive power or the speed of detonation, etc..

In the small experimental shop used for the production of hexogene by the "E"-salt process and which had been constructed in 1935 at the suggestion of the Wehrmacht, a total of from 3 to 4 tons was produced per month for experimental purposes. After an explosion in the powder factory in January 1942, this shop was closed down and dismantled.

Rottweil, 31 January 1948

(signed)

DR. HEINRICH FINK

I hereby certify that the forgoing signature of Dr. Heinrich F i n k, residing in Rottweil

GAJEWSKI
Exh.

No. 51
No.

has been attached before me, Carl Weyer, deputy defense
counsel at the American Military Tribunal.

Rottweil, 31 January 1948

(signed) CARL WEYER.

A f f i d a v i t .

I, Dr. Ing., Dr. jur. Harald K e d i g e r , residing at Muen-
chen 9, Tegernseer Landstrasse 270, have been informed that I would
render myself subject to punishment by making a false affidavit. I
herewith affirm that the following statements are true and were made
in order to be introduced as evidence before the American Military
Tribunal No. VI, in Nuremberg.

From 1931 until the end of the war in 1945 I was manager of the
Patent Department Photo-Rayon for Sparte III of I.G. Farben, and
consequently I am fully acquainted with the inventions and processes
developed within this Sparte, as well as with their patenting, and
the granting of licenses to German and foreign companies. I was in-
formed of Count 50 of the indictment in trial 6 pending before the
Military Tribunal in Nuremberg, which charges that Farben has inten-
tionally weakened the war potential of the subsequent enemy states
by withholding, partially in disregard of existing agreements, im-
portant information. In this connection I state the following:

During the time from 1931 until the outbreak of war with the
United States, the following important invention projects were worked
on within Sparte III:

- (1) The first fully synthetic fiber: PaCe, made of subsequently applied Polyvinylchloride, and especially suitable for producing nets and diving appliances exposed to salt water, as well as for numerous other technical purposes, due to its exceptionally high resistance against most chemicals; and Folie Vinifol, derived from the same plastic and specially good as isolating material.

In 1938 and 1939, Farben offered to E.I Du Pont de Nemours, Wilmington, Del., both materials with all pertinent know-how and exclusive licenses for the United States. Although Farben kept the offer open until the end, the negotiations, at which I personally participated, were not concluded because Du Pont could not make up its mind whether to take up the manufacture of these products. The Vorstand was represented in this matter by the Messrs. Gajewski, ter Meer and Ambros.

- (2) Hot water treatment of Viscose fibers, for the purpose of obtaining improved properties.

Farben granted a single license for the American patents obtained therefore upon its request to Du Pont, by means of an exchange of telegrams at a time, according to my recollection in 1940, when mail connections with the United States were already very difficult due to war conditions. Herr Gajewski represented the Vorstand in this matter.

- (3) The production of fully synthetic, linear "Hochpolymeren" from Lactam, and fibers thereof, which have Nylon characteristics.

Within the frame of an agreement concerning Nylon, Farben assigned exclusive rights for this process to Du Pont in ^{the} summer of 1939, in an agreement covering the United States and a large number of other countries. The Vorstand was represented in this transaction by the Messrs. Gajowski, ter Meer, and Ambros.

- (4) The production of highly sensitive fine-grained photographic Halogen silver layers through a combination with special emulsion admixtures.

The process developed in 1935 represented such a technical advance and was considered so important that, for the time being, a patent was not applied for either in Germany or abroad, in order to keep it secret as long as possible; only Agfa-Ansco Corp., Binghamton, N.Y., was immediately informed of the formulas within the frame of an existing agreement. We disregarded our own misgivings when, upon the urgent request of Ansco, and after detailed discussions, for which purpose I made a trip in the spring of 1937 to Binghamton, we put the firm into a position to apply in its own name for an American patent; Herr Gajowski represented the Vorstand in this matter.

- (5) A larger number of panchromatic sensitizers and of stabilizers, which, as emulsion admixtures enable the production of very efficient photographic layers.

The formulas for these inventions were currently put at the disposal of Ansco, and the patent applications assigned for its exclusive use in the United States. The raw materials themselves were shipped partly direct from Wolfen to Binghamton. The scientific work carried out by Ansco did not lead to corresponding results, and, thus, Farben did not receive equivalent returns. Ansco was currently informed of all inventions in this field from 1928 until the end of the agreement-relations caused by the events of 1941. Herr Gajewski, representing the Vorstand, was currently responsible for this release of inventions.

- (6) The Agfacolor-Color-development-process with diffusion-resistant components, which amongst other things, makes possible in one operation subtractive color positives according to subtractive complimentary color negatives.

Ansco was, without reservations, also informed of, and provided with, all the formulas and numerous patent applications pertaining to this process; even after the outbreak of the war in 1939 were repeatedly shipments of components made from Wolfen to Ansco; in this transaction, too,

did Herr Gajewski represent the Vorstand.

Consequently, Farben's Skarte III provided to American Industry, from 1931 until the outbreak of the war with the United States, all its more important processes, which Farben had all been using in its own factories until the end of the war, without stipulating in any instance any kind of restrictions concerning the date or extent of use in the United States.

Munich, 17 January 1948.

(signed) Dr. HARALD MEDIGER
(Dr. Harald Mediger)

I herewith certify and confirm the foregoing signature of Herr Dr. Harald Mediger, residing at Munich 9, Tegernseer Landstrasse 270, who today appeared and appended said signature, before me, Carl Weyer, Deputy Defense Counsel before the American Military Tribunal in Nuremberg.

Munich, 17 January 1948.

(Signed) CARL WEYER
(Carl Weyer)

Affidavit .

I, Adalbert Feindol, residing at Berlin-Zehlendorf, Argentinische Allee 150; until 1945 director of I.G. Farbenindustrie Aktiengesellschaft, and now manager of I.G. Farbenindustrie Aktiengesellschaft in liquidation, Berlin S.O. 36, Lohmühlenstrasse 65/67, have been informed that I would make myself liable to punishment by rendering a false affidavit. I affirm that my statements are true and were made to be introduced as evidence before the Military Tribunal No. VI, at the Palace of Justice, Nuremberg, Germany.

In my affidavit of 17 November 1947, I mentioned a gentlemen's agreement which concerned the following set of facts:

The supplying of the requirements of positive films in France, in the occupied as well as unoccupied areas, was to be divided up between Kodak and Agfa according to the following key: Kodak was to deliver 75 %, and Agfa 25 %, of the requirements in positive films, so long as the quantities of positive film sold by both firms in France during 1938 was not fully reached. In the event that the 1938 sales figures were exceeded, the excess amount was to be divided between Kodak and Agfa on a half-and-half basis. The precise 1938 figures were to be mutually determined immediately after the agreement became effective.

It was arranged that both firms should exchange every month their turnover figures, for the purpose of directing the sales according to the above-mentioned quotas. Excess, or under-shipments, respectively, were to be balanced, as far as possible, in the month following. However, any derivation from the quotas showing at the end of the contract year was to be carried forward to the next month. If, at the termination of the agreement it were to be shown that one partner of the contract had made excess shipments, he was to pay off the balance in cash according to details then to be arranged.

Any possible sale of positive film by other Kodak companies was to be charged exclusively to the Kodak quota.

Any possible sale of positive film by other French or foreign raw film producers was to be charged against the Kodak quota only to a maximum of 15 % of the total sales in the French market. If, contrary to expectations this maximum were to be exceeded, the excess share should be divided up between the contract partners in the ratio of 75 to 25 %, or 50 to 50 %, respectively.

As a matter of principle, prices and delivery conditions of Kodak and Agfa were to be the same. The price of Fr. 1,75, submitted for approval by the "Comite d'Organisation des Industries Chimiques", was to be considered as an interim price and, as soon as possible

coordinated with the German price of RM. 0,14.

The agreement was to become effective immediately, while the computation of the quotas was to take place after Agfa commenced shipments. The duration of the agreement was fixed as three years. After expiration of the three years, the agreement was to be extended automatically for another year, unless one of the two firms gave six-month prior notice.

In the event that the firm of Eastman-Kodak, Rochester, or one of its branch companies, were to cede the controlling influence over the firm of Kodak-Pathe to a third party which is not a branch company of Eastman-Kodak, Rochester, then the buyer or Agfa should be entitled to give one-year's notice to the present agreement.

These agreements were signed in the spirit of great friendship which had obtained between the companies of the Kodak concern and our firm for decades.

Berlin, 10 February 1948.

(signed) ADALBERT FEINDEL

Value: RM. 10.000.--

No. 59 of the Document Roll for 1948.

Berlin, 10 February 1948.

I herewith certify and confirm the foregoing signature of Herr Adalbert Feindel, plant manager, residing at Berlin-Zehlendorf, Argentinische Allee 150

who, on 10 February 1948 appended said signature before me, Dr. Hans
Viereck, Notary Public, Berlin-Schoeneberg, Rumpfenburger Str. 3.

(signed) DR. H. VIERECK,
Notary Public

Dr. Hans Viereck
Notary Public in the district of
the Kammergericht.

(Official Seal)

Statement of costs

(according to the Code of Fees of 25 November 1935)

Value: RM. 10,000.--

1) Fees according to Articles 141, 26, and 29	RM 8.--
2) Travel Fee, according to Article 52	" 8.--
3) Turnover Tax	-- " 1.48
Total	RM 16.48

The Notary Public:

(signed) DR. H. VIERECK.

Before us, Maitre Carl Lombaerts, notary public, residing at
Antwerp

appeared

today, the ninth day of February of the year nineteenhundredand-
forty-eight,

The Joint Stock Company "Photo Produits Gevaert",
whose seat is at Kortseel (Vieux Dieu), Belgium, on the Commercial
Register of Antwerp, No. 1430.

Represented by

- (1) Mr. John Meus, company administrator, residing at Brasschaet
(Belgium) and
- (2) Mr. Victor Paroïn, engineer, residing at Antwerp.

Both of them acting in their capacity of delegated administra-
tors of the said firm and by virtue of Article nineteen of the compa-
ny articles.

The firm represented as has been said, states:

"That during the entire duration of the war of nineteenhundred-
andthirty-nine to nineteenhundredandforty-five, the German company
Agfa's attitude towards the firm has been loyal and correct,

"That the Agfa company did not acquaint itself with the manu-
facturing secrets of the firm;

"That it neither utilized nor took away any patents belonging
to the firm;

"and that it did not bring any pressure to bear on the manage-
ment of the firm."

Whereupon the representatives of the said society have certified that the above declaration is sincere and true, that it was made in order to serve wherever it might be necessary, and that they are prepared to assert on oath its veracity before all competent authorities.

Whereof a record is in the document roll

Done and passed at Antwerp, date as above, and after it had been read out, the firm, represented as stated, has signed, together with us, the notary public,

(Signed) John Meous

V. Parcin

Carl Lombaerts

Declaration, 9 February 1948

Approved the erasion

No. 1899

of one single word

(Stamp and seal)

Belgian Stamp. Zegel. Belgium.
T 032323

J.M. - V.P. - Lombaerts

(In Flemish): Registered on page forty-one, at Antwerp BA 1, office, the eleventh of February 1948, Part 161, sheet 15, line 8

Received forty francs.

The Receiver,

(Office Seal)

(Signed) C. Lombaerts.

GAJEWSKI NO. 55
EXHIBIT NO.

Brich Hermann,

Leuvingen, 3 February 1948.
Johannesstrasse 11 1/2

A f f i d a v i t .

I, the undersigned Brich Hermann, former Prokurist of the I.G. Farbenindustrie A.G. - Agfa Berlin SO 36, have been cautioned that by making a false affidavit I render myself liable to punishment. I was not a Party member.

After the seizure of power in 1933 I took part in a discussion between the two Vorstand members Dr. Gajewski and Otto in which they discussed the question of joining the Party.

During this discussion the seizure of power was referred to with expressions of regret and National-Socialism was categorically rejected. In spite of this fact the two gentlemen found it in order to join the Party for reasons of expediency. They also urged me to apply for membership in view of my position as manager of the personnel office; but being a lodge member this was out of question from the beginning. In the course of the years I had repeatedly asked to be pensioned. However, Dr. Gajewski as well as Herr Otto refused to consider my request to be pensioned in order to forestall the possible appointment of a Party member to my position as had been repeatedly requested by Party chiefs and the works council.

The attitude of the leading officials of the Agfa Berlin

was in keeping with their professed opinion. Only 2 of the gentlemen belonged to the Party from among the four Direktors and 14 Prokurists. The two Direktors had joined the Party more or less at the suggestion of Herr Otto, after the district Party leader had repeatedly complained of the intransigent attitude of the leading gentlemen toward National-Socialism. One of the two Prokurists had been taken over into the Party on account of his position as leader of the local unit of the NSV (National-Socialist Public Welfare Assn.), the other Prokurist never exhibited much activity. The frequent conferences with Dr. Gajewski and Herr Otto, as well as the following dinner provided an opportunity to express our minds openly and the gentlemen again and again stated their opposition to National-Socialism.

(signed) ERICH HERMANN.

City Council

Leu i n g e n / Donau

I hereby certify the authenticity of the foregoing signature.

Leu i n g e n (Donau), 3 February 1948.

City Council.

(signed) BOERK
Burgomaster

City of Leu i n g e n on the Donau.

(L.S.).

A f f i d a v i t .

I, Dr. Alfred M i l l e r , residing in Bissingen near Donauwoerth, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice at Nuremberg, Germany.

Until the end of the war I was Direktor and manager of the film production at Farben's works Wolfen near Bitterfeld and in this capacity worked in cooperation with Dr. Gajowski throughout the years of my activity there.

Due to denunciations, I was summoned to appear before the district leadership Dessau-Stadt and on this occasion - apart from the statement that the factory was fairly well managed, but that much was left to be done from the viewpoint of the Party - the film factory was reproached, among other things, for still employing many Jews.

In spite of this, Dr. Gajowski, who had been my superior for many years, was able to keep the Jews employed in the photo department - Dr. Bincer, Dr. Biltz, and Dr. Luft - for a number of years yet, even in the face of the constant agitation of the Party, until they succeeded to find employment with competitor firms abroad. In this connection he even waived the competition clause of their contracts and saw to it in the case of Bincer that the latter obtained a fictitious employment with the Alfa-Photo in Vienna.

Also in the case of the Seventh Day Adventists he gave proof of his often expressed sympathy for these people, which were persecuted by the National-Socialist regime, by not discharging them from their positions in my department, in spite of the constant demands to this end on the part of the then local unit leader, the DAF shop steward and other instances.

Bissingen near Donauwoerth, 22 February 1948.

DR. ALFRED MILLER
(signed Dr. Alfred Miller.)

I hereby certify that the foregoing signature of Dr. Alfred Miller, to me known, was attached before me in his own handwriting.

Bissingen, 22 February 1948.

Seal of the community Markt
Bissingen, Bavaria.

(signed) LABER
Burgomaster.

A f f i d a v i t .

I, Heinz Karl Fanslau, at present at the Court Jail in Nuremberg, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice at Nuremberg, Germany.

(1) From 1934 to 1938, I was Chief of Administration in the general SS in the district of Saxony. My office was located in Dresden.

(2) In 1936 or 1937 a meeting of various chiefs of the SS administration from the different parts of Germany took place in Halle on the Saale. The meeting had been ordered by Pohl, the chief of the SS Administrative Office, who had also designated the place where it was to be held.

(3) As Halle was located in my administrative district I wanted to give the people attending this meeting an opportunity to have a look at the making of photographic films as a sort of relaxation after the day's work. Therefore, I applied to an acquaintance of mine, the Prokurist Grahl of the factory at Wolfen with the request to arrange a visit to the factory.

(4) After Grahl had submitted the request to his chief, Dr. Gajewski, he informed me that the visit could take place. I then notified Herr Pohl to this effect.

(5) On our arrival at the factory

we were briefly greeted by Herr Gajewski and were accompanied on our sightseeing trip through the factory by an employee previously not known to me.

(6) This visit to the factory was not connected in any way with our duties at the SS-Administration. It took place, as mentioned under (3) at my suggestion, as I wanted to offer my guests some kind of recreation.

Nuremberg, 1 November 1947.

(signed) HEINZ KARL FANSLAU.

Before me, Dr. Ernst Achenbach, Attorney-at-Law, at present defense counsel at the American Military Tribunal, appeared Heinz Karl Fanslau, known to me, at present in the court jail at Nuremberg, who in my presence signed the above statement, which signature is hereby certified.

Nuremberg, 1 November 1947.

(signed) DR. ERNST ACHENBACH.

CERTIFICATE OF TRANSLATION

I hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Document Book 3 (GAJEWSKI).
Muenberg, 27 February 1948

G. Lewner,

ETO 20 123

pp. 1-9, 32-40, 52-57

Th. Klein

AGO D 150307

pp. 10-25, 41-49

A. Ehrmann

ETO 20 116

pp. 26-31, 50-51

Case 6
Defense

Tribunal VI

Case VI

DOCUMENT BOOK IV
(Supplementary volume)

for

Dr. Fritz Gajewski

submitted by the

Defense Counsel

Dr. Wolfram von Metzler
Attorney

Long



Table of Contents of Document Book VI
for Dr. Fritz Gajewski

Gajewski No.	Exh. No :	Contents :	Page
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58		<p>Report of the Wolfen Film Plant "Agfa", Department of the Soviet Photo Co. Ltd. dated 9 February 1948, concerning the allocation and treatment of foreign workers in the Wolfen Film Plant . The report signed by the Plant Leader , Director Dr. Paul Esselmann, and the Department Chief Paul Schulze co- signed by Shop Steward Troitzsch , describes in detail these problems, and states that no influence was exerted by the Film Plant on the allocation of Germans or foreigners , but that the for- eigners were allocated to the Film Plant by the State . From the report it can also be gathered , that , on the instructions of the Directorate , everything was done to raise the level of the welfare of the camp inmates , and to increase their keenness to work. The management of the firm did not know of any instances where the foreign workers were worse treated. After the occupation , no specific complaints were made to American Commanders .</p>	1
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59		<p>Affidavit by Dr. Paul Schulze , Chief of the Personnel Department of the Film Plant , dated 7 January 1948 , concerning the alloca- tion and treatment of foreign workers in the Wolfen Film Plant of the I.G. The affidavit describes in detail the allocation , working and living conditions of the foreign workers in the Film Plant , stressing that the Plant Mana- gement particularly Dr. Gajewski , issued frequent instructions with regard to the impro- vement of the position of the foreign workers, and that Dr. Gajewski very often visited the camps himself.</p>	13
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Gajewski	Exh.		
No. :	No.	Contents :	Page :

With reference to measures adopted in the event of breaking of contracts, it states that not only foreigners but also Germans were reported. However, the Film Plant tried at first to achieve its aim through internal measures. They neither had a so-called reform camp nor cells. When an American commander from Bitterfeld visited Camp 1 at the beginning of May 1945, no complaints were made by the representatives of the various nationalities concerning bad treatment in the Film Plant. In conclusion, it states with reference to the affidavit of the Belgian worker van Mol, which deals with the working hours in the Film Plant and the employment of women on the production of X ray plates, that these statements do not coincide with actual facts.

The following are enclosed in the report :

- 1.) List of foreign workers employed in the Film Plant from 1940 until 1944.
- 1a) 7 photos of the Wolfen Film Plant.
- 2.) Plans of a hut for foreign workers.
- 3.) Plan of Camp 1 where the witness van Mol was housed.
- 4.) List of food allocated to Germans and foreigners for the period 8 January 1945 until 9 February 1945.
- 5.) Statistics drawn up by the pay-roll office concerning the days and hours of work performed each month.

60

60

Affidavit by Dipl. Kurt Riess dated 29 February 1948 referring to the expenses for the quarters in the plants situated in Block III- in addition to his affidavit of the same date, submitted as Document No. 23 Exhibit 41 Document Book 11 Gajewski.

29

Gajewski No. :	Exh. No.	Contents :	Page
61		Letter to Foreman Mally Film Testing Department of the Wolfen Film Plant dated 2 February 1947 from the Dutchman Koos Geleedts ; formerly employed as a foreign worker in the Film Plant .	31
62		Letter dated 17 Febr. 1947 from the Belgian woman Frau Rachel Syx, formerly employed as a foreign worker in the Wolfen Film Plant . to Herr Teichmann her former superior in the Film Plant in the Filter Cloth dept.	33
63		Affidavit of Ferdinand Wagner dated 24. Nov. 1947 referring to the photograph representing convicts at work in the Camera Plant Munich Gajewski Doc. 64 .	35
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70		Photograph showing convicts at work in the Camera Plant Munich .	38a

Gajewski No.	Exh: No.	Contents :	Page
71		Affidavit of Ferdinand Wagner dated 24 November 1947 referring to the photograph showing the quarters allocated to the convicts in the Camera Plant Munich Gajewski Doc.72	39
72		Photograph showing the quarters allocated to the convicts in the camera plant Munich .	39a
73		Affidavit of Ferdinand Wagner dated 24 Nov. 1947 referring to the photograph Gajewski Doc. 74 showing the block of huts where the concentration camp inmates were housed from Fall 1944 in the Camera Plant Munich .	40
74		Photograph showing the block of huts where concentration camp inmates working in the Camera Plant since Fall 1944 were housed .	40a
75		Affidavit of Carl Weyer dated 3 April 1948 referring to No. 4 of the enclosed plans of buildings in camp 1 for men of the Wolfen Film Plant of the I.G.	41

Arfa film plant

Wolfen, 9 Feb. 1948

R e p o r t

Re: Employment and Treatment of Foreign Workers in the
Wolfen film plant.

Based on our knowledge of conditions concerning foreign workers in the Wolfen film plant, the following statements are made:

I.

- 1) Directives for the treatment of foreign workers were based on instructions issued by the labor allocating authorities. These were passed on to the plant managers resp. to the social welfare departments by the management of the firm, resp. by the Sparte. Regular reports concerning the employment of foreign workers were submitted to the management of the firm.
- 2) The individual plant managers were responsible for implementing the regulations issued. In general, personnel matters of foreign workers were dealt with by the same offices as those competent for the German workers.
 - a) Workers were employed on the basis of allocations by labor offices, which distributed available workers in accordance with the urgency of the task involved, whereby no discrimination was made between Germans, foreigners and others.

- b) Accommodation. Food and social welfare was the responsibility of the Social Welfare Dept.; medical care was administered by plant physicians.
 - c) The pay-roll office was responsible for the payment of wages; authoritative for the wage scale were the regulations of the Plenipotentiary for the Employment of Labor. With the exception of Eastern workers, wage scales were equal to those of German workers. Later on, the wage tariff of Eastern workers was adjusted to that of other workers.
 - d) Workers were employed in the plants in accordance with the work available; no discrimination was made between German and foreign workers; both worked side by side.
- 3) A larger number of foreign workers were employed in the film plant. As already mentioned under Para. 2, the same offices dealing with matters for German workers were responsible for the various provinces. This question will be discussed in detail under Para. 9.
- 4) With the exception of those few foreign workers who maintained private lodgings at their own expense and who were compensated by us at the rate of RM 0.50 per day, the officially prescribed rate for lodgings per night, the cost of lodgings for foreign workers was born by the plant. RM 1.— per day was paid by foreigners for food, which amount

covered essentially only the cost price of the foodstuffs; the remaining costs were born by the plant.

Thus, additional costs accumulated amounting to RM 400.-- to RM 500.-- per worker per year. This sum contains primarily the amortisation costs for camp construction, further, expenses for social welfare, i.e. cultural activities; in addition tailorsshops, shoe-repair shops and barber shops had been established which likewise needed subsidies from the plant. (See appendix for details). In accordance with regulations, married foreigners received a sum of RM 1.-- per day; thus it was unnecessary for them to contribute anything at all from their wages towards their upkeep and food. Financially therefore, they were considerably better off than the German workers who had to defray their own expenses for the upkeep from wages paid.

- 5) Generally speaking, work performed by foreign workers was equal to that of German workers.
- 6) Labor was requested by reporting the required number of workers to the labor offices. Based on requests placed with the labor offices, the workers were then allocated by the State in accordance with the urgency of the request. The plants were in no position to exert any influence in the allocation of German or foreign workers according to individual nationalities. Express requests for foreign workers have not been made. The central offices alone distributed the labor available to them.

German workers who left because of conscription into the armed forces or for similar reasons were replaced in the main by foreigners, since German labor was not available in larger numbers.

7) From the beginning of 1939, labor recruitment abroad was carried out by delegates on a voluntary basis in accordance with instructions and the supervision of the Labor ministry. Later on, labor recruitment was dealt with exclusively by delegates of the Plenipotentiary General for the employment of labor and recruited workers were allocated to plants by the competent labor office on the spot. Delegates of the plant did not participate in any compulsory recruitment. In recruitment by delegates of the firm, written agreements were concluded which stipulated working conditions.

8) The following were employed in the film plants:

a) Civilian workers of various nationalities recruited in Slovakia and in the occupied Eastern and Western countries

b) several PW's from India and Italian military internees
(for numbers see Page 16) After some time the latter assumed the status of voluntary civilian workers and were put on an equal basis with them.

c) female KZ-inmates.

II.

9) a) In general, foreign workers were quartered in fenced in camps constructed by the plant, segregated according to nationalities in houses or huts. German workers from other parts of the country were not employed in large numbers; thus the plant did not have to provide quarters for Germans. With the exception of Poles and Eastern workers who were required by authorities to live in compounds, foreign workers were allowed to maintain private quarters at their own expense. Some of the foreign workers have made use of this opportunity.

b) In general, foreign workers received full board from the camp administration. Food rations were officially prescribed. There was no difference between rations for Germans and foreigners. Such a difference existed to a certain degree solely between normal consumers - persons having ration cards - and those receiving communal board in the camps. For the latter category which concerned only foreigners, food rations were somewhat higher since it was difficult to obtain additional rations. In both categories, Germans as well as foreigners received the same rations for workers performing heavy and overtime work. Only Eastern workers received smaller rations at first, but they too received additional rations for heavy and overtime work. Rations for Eastern workers were later on adjusted ^{to} those generally distributed in the camps.

FN's from India received special food in accordance with their customs, which was prepared by an Indian cook.

- c) With the exception of Eastern workers where a so-called tax for Eastern workers was deducted in place of the wage tax and had to be paid to the competent authorities, payment of wages was on a basis equal to that of German workers. Later on, the tax for Eastern workers was at first reduced and then cancelled altogether.
- d) Working hours were the same as for Germans.
- e) German and foreign workers worked side by side in the various plants. We established the fact that in spite of the difficulties involved in understanding one another, co-operation was excellent everywhere.
- f) Foreign workers had an equal share in bonuses for good performance, same as Germans. These bonuses were paid exclusively in money as additional pay to the hourly wage.

(page 7 of original)

10.) As regards foreign workers; it was only the Eastern workers who received discriminatory treatment at first (payment to the finance office of taxes deducted for Eastern workers); this ruling by the authorities had to be complied with . In the interest of placing Eastern workers on the same level with German workers, negotiations were repeatedly conducted with the authorities and finally resulted in putting the Eastern worker on an equal basis with regard to wages and rations .

11.) Offices responsible for social welfare were instructed to raise the level of well being of the camp inmates and thus their willingness to work by purchases of material. Aside from beverages , tobacco and various articles of daily use were for sale in the camp canteens which were purchased by the procurement dept. of the plant (Foreigners had tobacco ration cards same as the Germans). It was generally acknowledged that the supply of goods was better in these camp canteens than in the local shops ; thus many Germans working in the plant made their purchases there , appreciating the superior and advantageous supply . Camp canteens had their own administration thus barring any over charges in price . Special attention was given to the problem of clothing . Through lengthy negotiations with the competent authorities it was repeatedly possible for us to obtain larger amounts of clothing for the foreign workers , so that we were able to supply needy persons not only with work clothes but also with linen , out door clothes and shoes .

(page 6 of original)

Special consideration was given to foreign workers in this respect .

The camps contained large dining halls and recreational rooms which were available for festivities of all kinds. Recreational activities on a smaller scale were conducted by the inmates themselves. The large plant Theater was available for larger performances by hired groups of artists composed of various nationalities . Recreational activities during free time were carried out to a large extent in accordance with the lawful provisions of the German Labor Front which also hired the artists.

Money expended for this purpose is charged to general costs stated under para. 4

12.) Cases of discriminatory treatment of foreign workers have not become known to the plant management . Isolated incidents which occasionally happen also between Germans , were straightened out in the customary manner . To settle such incidents , foreign agents were assigned to offices of the German Labor Front , who also inspected the quarters of their country-men . Unfortunately , written statements of foreign workers containing their own opinion with regard to their stay here are not available . Doubtless , no complaints of any specific nature were filed with the American commander after the occupation , since the presence of such complaints was not mentioned by the foreign delegates during negotiations that were carried on at first with the Command concerning the food supply for the inmates and the maintaining of the operation of the camp .

(page 9 of original)

Since correspondence with foreign workers is impossible it should be difficult to procure any written statements.

13.) The heating of huts , all of which were equipped with central heating was certainly a source of comfort to the inmates during the winter months . It is also likely that the majority of foreign workers from the East and the South-East received higher wages than they were accustomed to .

14.) In 1944 , approx. 4500 civilian foreigners were employed in the plant (Filmfabrik) : about 70 of these were technicians and commercial employees , 30 of them Poles , from India and 200-400 of them female KZ-inmates .

Foreign civilian workers were composed 50% of men and 50% of women . The number of foreigners was lower in the preceding years . The number of KZ-inmates employed since 1943 which at the maximum stage was 400 , was reduced to half after work slackened off in one of the operational fields in February 1945 .

15.) Female inmates were employed exclusively in some of the various textile departments . They worked on sewing filter clothes , mercerizing of rayon and in the crape throwing mill . They were confined to isolated rooms and were guarded by female personnel of the SS . Their quarters were located in a specially isolated camp which was built in accordance with instructions of the camp management .

(page 10 of original)

Contact with inmates was forbidden to German personnel . Working hours and rations were prescribed by the SS. Rations were about equal to those of Eastern workers . Reimbursement was made to the camp administration on the basis of work performed (RM 4.— per shift , per head) . It was light work which previously had been performed by German women but which could not be considered as contributing to the war effort.

KZ-inmates were not available via the labor offices , but were assigned to the plant by the Ravensbrueck camp administration . Details about this are unknown to personnel still employed here . In collaboration with the SS-representative , the security officer at that time determined the final number of inmates to be employed .

16.) With regard to the firms activity in recruitment and employment of foreign workers and their treatment , reference is already made in the various paragraphs thus rendering superfluous any special mention of it .

Filmfabrik Agfa Wolfen

Abteilung der Sowjetischen Akt. Gesellschaft. Photofilm

signed Dr. Esselmann

signed Dr. Schulze

signed : Troitzsch
Shor Stewart
Filmfabrik Wolfen

(page 11 of original)

No. 363 of the Register Roll for 1948

Certified herewith that the foregoing signatures appended to the
firm

Filmfabrik Agfa Wolfen

Abteilung der Sowjetischen Akt. Gesellschaft Photofilm
are those of :

- 1) Director Dr. Paul Esselmann , Plant leader in Wolfen , Greppinerstr.11
- 2) Dr. Paul Schulze, department chief in Wolfen , Thaelmannstrasse 44

Bitterfeld , 24 February 1948

signed : Dr. Albert Bohlen

Notary .

Costs :

Value : RM 3.000.--
fee : par. 39 RKO ; RM 4.--
tax : -.12
 RM 4.12

signed Dr. Bohlen
Notary .

	1939 RM	1940 RM	1941 RM	1942 RM	1943 RM	1944 RM
Community Association Marie, share of the Furber plant	88 805	139 237	-	-	-	-
Resident camps and Workers homes	-	-	370 214	1 212 072	2 228 002	2 641 076
These figures contain expenditures for : kitchens and canteens (foodstuffs, beverages and tobacco, goods for sale in the canteens, additional rations)	-	-	-	66 134	38 143	123 000
Plant laundry and lotions	-	-	6 006	10 341	28 024	19 107
work clothing laundry	-	-	1 112	36 494	2 895	2 905
Books and magazines	-	-	15	407	4 503	5 445
Medical examinations, medical supplies	-	-	-	120	951	922
bandages	-	-	-	-	571	3 640
Infant care	-	-	372	88	576	486
Camp fixtures and decorations	-	-	-	-	-	-
Free trips home, separation compensation and per diem payments	-	-	-	783	16947	15 567
comedely evenings, theatrical performances and other entertainment	-	-	-	342	4 448	13 532
Welfare payments	-	-	-	-	91	253
Family camps	-	-	-	-	7 585	18 020
Auxiliary shops - tailor - barber and shoe repair	-	-	-	-	-	19 451
Quarters for foreign employees	-	-	-	-	1 504	3 276
Air-raid installations	-	-	-	4 159	96 983	337 602

Wolfen, 7 January 1948
Dr. Sch./Er.

A f f i d a v i t

Re: Employment and treatment of foreign workers in the Wolfen
film plant of the I.G. Farbenindustrie A.G.

1) Employment

The first foreign workers to arrive were men from Slovakia, for the most part ethnic Germans, who came in 1939. They were followed in 1940 by Polish women. Large scale employment did not begin until 1941. A survey of the foreign workers employed is contained in appendix 1, which lists the number employed on 31 December of the year concerned, subdivided as to nationality and sex. Foreign workers were allocated via the German labor employment authorities.

Each month the required number of workers was regularly reported to the competent labor office. If the office was unable to meet these requirements from workers available to it in its own district, it passed them on. The Reich Labor Minister and later on the Plenipotentiary General for the Employment of Labor, on the basis of the urgency of the production and the workers available to him, decided upon the manner in which these passed on requirements were to be met. No differentiations was made in our requests as to domestic or foreign workers. The allocation was made in Berlin.

Negotiations necessary to obtain the workers were conducted by the individual plants. This was necessitated already by the fact that requirements were passed on through channels

via the labor office or district labor office competent for the plant. In principle the same applied to the employment of prisoners-of-war.

2) Working conditions.

On principle, foreign workers were employed in the same manner as the Germans, that is, they had the same working conditions and the same working hours. A large part worked in the plant in shifts, which of necessity resulted in the same working hours. The examination of work periods of Donat Early and Jean van Mol shows that they worked the same normal number of working hours per month which was performed on the average by the Germans; I will discuss this matter when reference is made to their statements.

The medical examination at the time of employment and the medical observation during the period of employment was carried out on the same principles as that of the Germans. Payment, including all special compensations, such as overtime, holidays and production bonuses (bonuses and piecework), was also made at the uniform rate applicable to all. Similarly the foreigners were insured against illness and accidents in the same manner. There were merely certain exceptions in payment due to the regulations prescribed by law for Eastern workers and Poles. The firm drew no profits from the low payment of the Eastern workers; the difference was paid to the Finance Office in the form of Eastern worker taxes. With regard to working time and care of health the Eastern workers and Poles were handled exactly like the Germans.

3) Living conditions.

By far the majority of the foreign workers were quartered in camps belonging to the plant. With the exception of Eastern workers and Poles they could live in private quarters if they wished, if they were able to find quarters. In this case they received the established rate of compensation of RM 0.50 per night. The camps had an autonomous administration and were supervised and cared for in accordance with government directives by the German Labor Front. Delegates of the various nations, who cared for their own nationals and examined any complaints submitted by them, worked with the Gau administration of the German Labor Front.

At first the plants Bitterfeld, Farbenfabrik, Filmfabrik and several construction firms had founded the camp association Marie o.V. for the management of the foreigner camps. When the number of foreigners employed increased considerably and more camps had to be erected, the camp association was dissolved (in the Spring of 1942) and the camps allocated directly to the individual plants. The film plant took over Camp 1, Wolfen. Additional camps necessary were then erected by the film plant itself. We had a total of 6 camps for foreign workers. The individual camps provided quarters for approximately 500 to 2000 workers. In addition to the huts, each camp had a kitchen with appropriate storage rooms, a large day and dining room, infirmary, shower room, toilet installations and air-raid facilities. In addition to this, shoe repair and tailor workshops and a barber shop were installed in the camp by the plant. Only the camp for Polish women did not have a central kitchen but had a cooking range in each hut.

This original arrangement was later on retained at the request of the occupants, that is, they fed themselves on the basis of food ration cards issued to them. Later on, communal feeding was ordered by the government, since it would have been impossible to grant individual-food-supply to the large number of foreign workers quartered in the locality. A large number of cooking ranges had also been built in the other camps, on which the camp inmates could prepare supplementary food in accordance with their own taste. For full board, RM 1.-- per day was paid by the foreign workers.

The so-called RAD type hut (see appendix 2) served mainly as quarters, although in an improved form. One hut consisted of 6 sleeping rooms and 1 wash room. Generally, 16 men (8 double decker beds according to photograph) were quartered in one sleeping room of approx. 50 square meter floor surface; this totals up to a normal occupancy of 96 men per hut. Wash rooms were either equipped with about 20 wash basins with running water ranged along the walls or they contained 3 so-called washing fountains (see photograph). Barly's statement as to 6 tiers of beds is proven impossible already by the height of the buildings (see appendix 2) and also by the figure of 96 per house, that is 16 per room. When Barly speaks of only 2 wash basins he can only refer to the washing fountains shown in the photograph, of which however, there were 3 in each hut, as is shown by the picture, each having 8 faucets. An orderly was assigned to each hut, who had to see to it that everything was clean.

Camp facilities were also supervised by the Building and Trade Police, who constantly checked whether sufficient washing facilities, toilets etc. were available.

A blueprint of Camp I , in which the two witnesses were quartered , is enclosed (see appendix 3) . Several photos of the quarters with appropriate captions are enclosed in the appendix. The camps , like all other property having tenants , were surrounded by a simple picket fence, the entrance gate was open day and night and merely guarded by a gate keeper day and night to prevent unauthorized persons from entering . There were no guards with weapons or dogs in the camps .

Food rations were based on regulations prescribed by law. The foreign workers received the same food rations as the German heavy workers.

As already mentioned , the majority partook of communal feeding ; only Polish women prepared their own food and made their own purchases with the ration cards issued them . A comparison of the food rations of the individual groups can be found in appendix 4 . The foreign workers were free to eat their midday meal in the plant canteen or eat in the camp after work . The plant provided additional rations, such as vegetables, to improve the meals. As is shown by the list , the prisoners of war received approximately the same quantities of food as the other workers. The Indians received special food in accordance with their customs . Their food was prepared in the plant kitchen by a cook who was an Indian PW . In addition to this, they received a great deal of supplementary food through the British Red Cross . The remaining foreigners received food from their homes in accordance with the supply situation in those countries . Foreign workers living in private quarters received food ration cards and prepared their own meals.

Numerous recreational activities took place during free time ; for larger performances , our plant theater was available. Costs for recreational activities were carried by the plant . Special performances by groups of Russian artists were given for the Eastern workers , who were not permitted to attend the general performances.

In day rooms of their camps, individual groups of nationals repeatedly gave performances , furnishing entertainment from among their own ranks. Camp 1 had its own camp orchestra , for which the plant furnished the instruments.

Extensive sports facilities were available. The plant sports grounds were placed at the disposal of the foreigners at certain times .

Pictures of a sports event are enclosed.

Newspapers and other literature were available to foreign workers in the day rooms of the camps.

The foreign workers were entitled to the same leave as the Germans . They received additional leave for trips to their native country to which they were entitled at certain intervals according to the regulations. Nearly all of the foreign workers made use of this arrangement. The plant assisted in procuring rail tickets etc. Cost of the journey to the border and back was paid by the plant .

4.) Breach of Employment Contract

As was the case with Germans , reports had to be submitted , in cases involving breach of employment contract, which as far as the foreigners were concerned, was practically tantamount to leaving the locality and the camp.

Internal measures , such as fines etc. were usually applied in cases of loafing . There were no prison calls in our camp. Escaped workers , so far as they were apprehended by the authorities without the help of the plant , were transferred to a Workers Training Camp . Such workers were often reallocated to us . We then ascertained several times that these people were in a poor state of health . On orders of the plant administration , detailed reports about this , together with a petition to remedy this situation were submitted both to the Labor Employment Authorities and the higher offices of the German Labor Front , who promised to remedy these conditions. The plant itself did not have a traing camp nor did it have any connection with one it heard about the transfer of escaped workers to such camps , only if they were returned to the plant .

5.) Efforts on the part of the Plant Administration .

Order^s were often issued by the plant administration , especially by Dr. Gajewski , the execution of which he considered necessary for the improvement of quarters, clothing and food for the foreign workers . In order to accomplish this , he frequently visited the individual camps , at times alone , at other^s with myself or with gentleman from the technical department responsible for construction .

Reports about important evants were regularly submitted to Dr. Gajewski (Re.: place of work and quarters).

-20-

Camps and kitchens were placed under self-administration in order to permit them to exert the greatest possible influence and to exercise the best possible control . Through supervision of the entire distribution and accounting , a guarantee was given that the inmates received the full amount of rations to which they were entitled .

In the beginning of May 1945 I visited Camp 1 with Major Louis , the commanding officer of Kreis Bitterfeld , and American Medical Officers. Major Louis called the delegates of the various nations together , gave them instructions as to their behaviour and inquired into their wishes. No complaints were made on this occasion by the delegates with regard to treatment in former times. Nor did the American officers lodge any objections with regard to the equipment of our camp .

With regard to the statements of the former foreign workers Donat Barly and Jean van Mol when being interrogated , I wish to state the following :

The statements made by both concerning the number of hours worked do not correspond to facts. Enclosed is a summary of the days and hours worked by them during various months of their employment (appendix 5) , according to which they worked an average of 54 hours per week , which is the same number of hours worked on the average by German workers during the war .

Similarly incorrect are the statements made by Barly concerning the number of hours worked by women .

The remark : " I also know that women were employed in the manufacture of X-ray plates "

-21-

could create the impression as if the women had been exposed to the effects of X-rays (Roentgenrays) in connection herewith .
Concerned here , however , is the processing of Roentgen films , which , as is known , can only be done under orange lights and is in no way injurious to health. The processing of Roentgen films is work which has been done by German women since the plant was first established .

I, Dr. Paul Schulze , Chief of the Personnel Department of the Filmfabrik Wolfen since 1 January 1931 , have made the above statements under oath , after I have been informed as to the meaning of an affidavit.

(Signed) Dr. Paul Schulze

Number 362 of the Register Roll for 1948 .

Certified herewith that the above signature , and the signatures on the 5 enclosed appendices are those of Dr. Paul Schulze, Department Chief , Wolfen , Thaelmannstrasse 44..

Bitterfeld , 24 February 1948 .

(Signed) Dr. Albert Bohlen

Notary Public

(Stamp)

Fees .

Value : RM 3 000.—

Fees as per Para . 39 RKO RM 12.—

Turn-over tax RM -.12

RM 12.12

(Signed) Dr. Bohlen
Notary Public

Appendix 1

Wolfen, 7 January 1948

Employment of foreign workers in the
film plant from 1940 until 1944

	31 Dec 1940		31 Dec 1941		31 Dec 1942		31 Dec 1943		31 Dec 1944	
	male	female	male	female	male	female	male	female	male	female
Polen	3	368	2	765	65	1 033	100	980	187	1 025
Slovaks	548	-	373	4	174	5	85	4	44	6
Czechs	-	-	511	-	437	57	369	49	322	39
Belgians	-	-	43	168	80	84	196	59	187	31
Italians	-	-	1	1	1	1	2	-	360	24
Frenchmen	-	-	2	5	229	93	336	78	266	63
Dutchmen	-	-	-	1	32	9	30	7	29	7
Bulgarians	-	-	-	-	300	85	224	105	122	64
Russians	-	-	3	2	384	694	340	756	616	1 011
	551	368	935	945	1.702	2.061	1.682	2.038	2.133	2.270
<hr/>										
Italian Military Internees	-	-	-	-	-	-	-	194	in 1944 these were transferred to the status of voluntary workers. (see above group)	
Prisoners of War, Indians	-	-	-	-	-	-	29	-		
Immates	-	-	-	-	-	-	-	375	-	245

Notes: In addition to the above listed nations, individual workers of other nationalities were employed, who for the major part had been recruited in France together with the French.

(signed) Dr. Paul Schulze

Appendix 1a

7 photos of the camps of the firm paint

Wolfen as follows:

- 1) Outside view of quarters in Camp III.
- 2) Day room Camp III.
- 3) Wash room.
- 4) Infants- nursery in Camp III.
- 5) Plant orchestra at a camp sport festival.
- 6) Camp inmates and prizes for sport festival Camp V.
- 7) Sport festival Camp V.

Appendix 1 a



858
Camp Hale



Appendix 2

Diagram of a hut for foreign workers

in Camp I of the Wolfen film plant.

Appendix 4

71 Ration Period from 8 January to 4 February 1945

Procurement Department
of Main Group III
film plant

Weekly rations in grams

	German Normal Consumer	Additional rations for Germans work- ing overtime	Additional rations for Germans heavy workers	Additional rations fur- nished by the plant	Complete Camp Ration	Heavy workers supplement to complete ration	Civilian Eastern Workers	Additional rations for Eastern workers working overtime	Eastern Workers Children	Additional rations for Eastern Workers performing heavy work	Inmates of Concentration Camp	Additional rations for KZ-inmates perf- orming heavy work	Normal Rations for Indians	Additional rations for Indians perf- orming overtime work
Rye bread 300 g	1675	pl. 900	pl. 1400	-	2600	pl. 475	2225	pl. 675	1500	pl. 925	2600	pl. 1400	2225	675
White bread	550	-	-	-	412,5	-	-	-	-	-	-	-	-	-
Meat 20	250	pl. 200	pl. 350	-	400	pl. 200	-	-	-	-	-	-	-	-
Beef and mutton	62,5	-	-	-	62,5	-	-	-	-	-	-	-	-	-
Horse and uninspected meat	-	-	-	-	-	-	250	pl. 130	125	230	200	pl. 280	-	-
Butter 10	93,7	-	-	-	93,7	-	-	-	-	-	-	-	-	-
Margarine	31,25	pl. 20	pl. 37,5	-	38	pl. 31,2	206	pl. 12,5	103	63,8	182,7	-	206	12,5
Drake pork fat (leaf lard)	31,25	-	31,5	-	31,25	pl. 31,2	-	-	-	-	-	-	-	-
Meat lard	40	-	40	-	40	pl. 50	-	-	-	-	-	-	-	-
Cheese	15,6	-	-	-	15,6	-	15,6	-	7,7	-	-	-	15,6	-
Cottage Cheese and 1 Cheese	31,2	-	-	-	31,2	-	31,2	-	15,6	-	75	-	31,2	-
Cereals 20	75	-	-	40	125	-	75	-	37,5	-	100	-	75	-
Wheat flour for cooking	-	-	-	35	30	-	-	-	-	-	-	-	-	-
Soups	-	-	-	49	80	-	-	-	-	-	-	-	-	-
Noodles	50	-	-	20	60	-	50	-	25	-	50	-	50	-
Legumes	-	-	-	21	-	-	-	-	-	-	-	-	180	-
Potatoes	3000	-	-	2800	5000	-	5000	-	2500	-	5000	-	3750	90
Potatoe flour	12,5	-	-	10	12,5	-	12,5	-	6,2	-	-	-	12,5	-
Rye groats (flour)	-	-	-	-	-	-	-	-	-	-	125	-	-	-
Erstz coffee 10 grams	62,5	-	-	25	62,5	-	37,5	-	18,3	-	37,5	-	37,5	-

Weekly Ration in grams	German Normal Consumer	Additional Rations for Germans per- forming overtime work	Additional Rations for German Heavy Workers	Additional rations furnished by the plant	Complete Camp Ration	Heavy Workers Supplement to Complete Ration	Civilian Eastern Worker	Additional Rations Eastern Worker performing over- time work	Eastern Worker's Children	Additional Rations for Eastern Workers perf. heavy work	Inmates of Concentration Camp	Additional rations for inmates doing heavy work	Normal rations for Indians	Additional rations for Indians perf. overtime work
Marmalade 30	187,5	-	-	-	187,5	-	175	-	87,5	+	100	-	175	-
Sugar 20	218,5	-	-	35	218,5	-	175	-	87,5	-	80	-	175	-
Skimmed fresh milk Liters	0,75	-	-	0,21	0,43	-	-	-	-	-	0,25	-	-	-
Whole milk for children up to 3 years of age	-	-	-	-	-	-	-	-	3,5 Ltr.	-	-	-	-	-
Whole milk for children from 3 to 10 years of age	-	-	-	-	-	-	-	-	1,7 Ltr.	-	-	-	-	-

(signed) Dr. Paul Schulze

Appendix 5

Gajowski No. 59
Exhibit No.Summary of the Pay Office concerning the
days and hours worked per month.

Donat B a r l y, Control No. 29725 - Electric Workshop

1944	Days worked	Hours	Time Absent
August	9	85 1/2	
September	23	211 3/4	3 days unpaid leave
October	26	242	
November	17	152	10 days sick
December	28	250 1/2	
1945			
January	22	207 3/4	
February	25	226	
March	15	138	

Joan van M o l, Control No. 25831 - Plastics Workshop

1943	Days worked	Hours	Time Absent
February	25	223 1/2	
March	30	272 3/4	
April	27	246 1/2	
May	27	243	1 day un-paid leave
June	28	258	
July	21	180 3/4	4 days unpaid leave 3 days sick
August	17	151 1/2	3 days unpaid leave 5 days sick
September	24	217 3/4	1 day loafed 1 day unpaid leave 1 " sick 1 " loafed 1 " loafed
October	27	231 1/2	1 " loafed
November	18	161 1/2	9 days sick
December	28	248 3/4	
1944			
January	25	222 3/4	1 day unpaid leave
February	11	113 1/2	6 days family home leave 1 day loafed
March	23	205 1/2	5 days unpaid leave
April	23	197	1 day sick
May	27	250	
June	26	246 1/2	
July	27	256 3/4	
August	24	211 1/2	2 days unpaid leave 1 day sick
September	18	163	9 days sick
October	26	238 3/4	
November	23	202	4 days unpaid leave
December	27	238 1/2	
1945			
January	26	241 3/4	
February	24	218 3/4	
March	25	225 3/4	

(signed) Dr. Paul Schulze

Gajewski No. 60

Exhibit No.

Dipl. Ing. Kurt Riess

(22a) Leverkusen I.G. Werk
Carl Rumpfstr. 5 23 Febr. 1948

A f f i d a v i t

I, Kurt Riess, Dipl. Ing. resident in Leverkusen, having been informed that I render myself liable to punishment if I submit a false affidavit voluntarily declare the following under oath to be submitted before Military Tribunal VI in Nuernberg:

today.
Subsequent to my affidavit, in which I stated that the expenses for quarters were carried separately, I would still like to point out that the costs mentioned there represent those to be listed which were submitted to the technical committee, but, that in addition considerable sums were involved which were entered under plant expenses. The actual expenses for camps and housing of the foreign workers were therefore greater. As I have no data at my disposal, I cannot give the exact figures. However, I estimate that these extra expenses amounted to 10 - 20 % of the sums listed.

I also wish to point out that one part of the huts particularly in camp I, were solid stone buildings, which were already used during the war by German families who had lost their apartments in Dessau and Leipzig as a result of air-raids, and that today these stone houses, being complete apartments, have been assigned to refugees by the Wolfen Municipality.

(signed) Kurt Riess

Kurt Riess

Herewith certified and witnessed the foregoing signature of
Dipl. Ing. Kurt Riess, resident in Leverkusen/Rh., given before
me Hanns Gierlich's deputy Defense Counsel with the American
Military Tribunal in Nuernberg (Case VI).

Leverkusen, 23 February 1948

(signed) Hanns Gierlich's

(Hanns Gierlich's)

Gajewski No. 61

Exhibit No

Certified Copy

answered on 2 November 1947

A'dam 9 November 1946

Herr Mally,

You will probably be rather surprised to receive a letter from Holland. But do you still remember the color surveyor from Rotterdam? I think so. It is almost 2 years now since we said good-bye to each other. I was at home on 12 June then. All my relatives were still alive and it was a pleasant reunion. I have now resumed my old job. There is not very much to buy here yet, but there is enough food. Sometimes I wish I could see how you are getting on now. Are you still working in the same department? and are the others still all there, e.g. Herr Dr. Walter and Dr. Koslowski? And what about Willy, has he settled down alright? I hope this letter reaches you, and if so, then I beg you to write to me about you all.

If I get a reply, then I'll write a few more lines. With very kindest regards, also from my wife, don't forget to give my regards to all friends (Behnert, Baumgarten, Noek, Braun, Urbaniek etc.). If they are still all there at least! All the best to you, and looking forward to your letter!

(signed) Koos Geleedts

Hendrik Jacobstraat 18.

Amsterdam

Holland

Do you still take a lot of photographs Herr Mally?

Gajewski No. 61

To

Herr Mally,
Dept. Herr Dr. Walter (Film testing)
Agfa Film Plant

W o l f e n (Kr. Bitterfeld)

received: 16 January 1947

A true and correct copy of the original

Bitterfeld, 24 February 1948

(seal) (signed) Dr. Albert Bohlen

N o t a r y.

Gajewski No. 61

Exhibit No.....

Certified Copy

Lumuro 17 February 1947

Dear Herr Teichmann,

You will probably be surprised to get these lines from
Belgium.

Last year I wrote a letter to Bobbaie Jessnitz to my land-
lady, begging her to try to find out your address. I received a
letter today from Jessnitz.

Perhaps, dear Herr Teichmann you remember Rachel Syx the
Flamish woman from Lumuro West Flanders. When we had to leave
Germany in order to return home I would have liked to have said
good-bye to you, but unfortunately I didn't have time, as
everything went with a rush. My husband and I arrived home safely,
and found our daughter in good health. Now we are very well again,
and I hope that the same applies to you and your family. We
can buy everything here, and we are permitted to send parcels
to Germany, but we may not send any cereals, tobacco, footwear,
clothes etc.

And now dear Herr Teichmann I would like to express today
my heartiest thanks for the good and kind treatment I received
at your hands when I was working for you. It is a very pleasant
memory for me. I often

think about the filter cloth section and all my fellow workers there.

Dear Herr Teichmann I will now close my letter, with best wishes for you and your family.

With many thanks
and kindest regards

YOURS

(signed) Frau Rachel Syx

Kortrijkstrasse 232

Lemure near Kortrijk

West Flanders

Belgium.

Stamp

Stamp

Family

H. Teichmann

Wolfen Kreis Bitterfeld / Germany
Bothestrasse 2b

Russian Zone.

Certified that the above is a true and correct copy of the original.

(seal)

Bitterfeld, 24 February 1948

(signed) Dr. Albert Bohlen

Notary.

Gajewski No. 63

Exhibit No.

A f f i d a v i t

I, Ferdinand Wagner, graduated physicist, resident Munich, Menterschwaigstrasse 18, after having been cautioned that I render myself liable to punishment if I submit a false affidavit herewith voluntarily state the following under oath without duress:

The photograph on the other side was taken in May 1943 in the workshops of the Agfa Camera plant by Herr Boehm formerly, plant photographer. The women in the dark clothes are convicts who were assigned to work for us by the Stadelheim prison; the others are free German workers.

Munich, 24 November 1947

(signed) Ferdinand Wagner

CERTIFICATE

Herewith certified that the above is the authentic signature of Herr Ferdinand Wagner.

Munich, 26 November 1947

Police Headquarters Munich
Police Station East
By order of

(signed) Dobler
Dobler
Chief Clerk

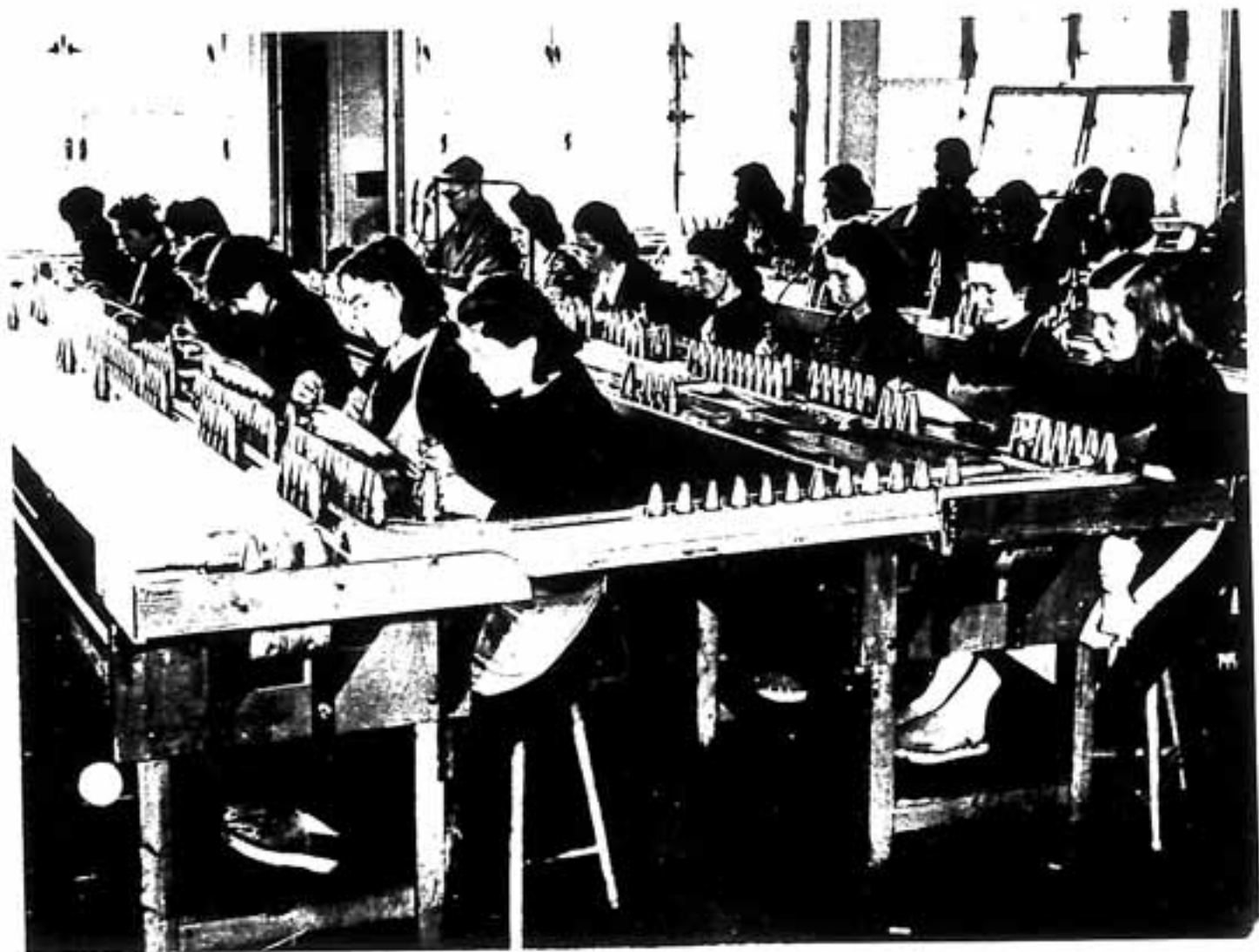
Stamp
(Seal)

Stamp

Gajowski No. 84

Exhibit No.

-2-



-35a-

A f f i d a v i t

I, Ferdinand Wagner graduated physicist, resident Munich,
Monterachwaigstrasse 18, after having been cautioned that I
render myself liable to punishment if I submit a false affidavit
herewith voluntarily state the following under oath without
duress:

The photograph on the other side was taken in May 1943 in the
workshops of the Agfa Camera plant by Herr Boehm formerly plant
photographer. The women in the dark clothes are convicts who were
assigned to work for us by the Stadelheim prison; the others
are free German workers.

Munich, 24 November 1947

(signed) Ferdinand Wagner

C E R T I F I C A T E

Herewith certified that the above is the authentic signature
of Herr Ferdinand Wagner.

Munich, 26 November 1947

Police Headquarters Munich

Police Station East
By order of

(signed) Doblér
Doblér

Chief Clerk

Stamp

(Seal)

Stamp

Gajowski No. 53

Exhibit No.



A f f i d a v i t

I, Ferdinand Wagner graduated physicist, resident Munich, Honters-
schwaigstrasse 18, after having been cautioned that I render
myself liable to punishment if I submit a false affidavit herewith
voluntarily state the following under oath without duress:

The photograph on the other side was taken in May 1943 in the
workshops of the Agfa Camera plant by Herr Boehm, formerly
plant photographer. The women in the dark clothes are convicts
who were assigned to work for us by the Stadelheim prison;
the others are free German workers.

Munich, 26 November 1947

(signed) Ferdinand Wagner

C E R T I F I C A T E

Herewith certified that the above is the authentic signature
of Herr Ferdinand Wagner.

Munich 26 November 1947

Police Headquarters Munich

Police Station East

By order of

(signed) Doblör
Doblör

Chief Clerk

Stamp

(Seal)

Stamp

Grjanski No. 38

Exhibit No



Gajewski No. 69

Exhibit No.....

A f f i d a v i t

I, Ferdinand W a g n e r, graduate physicist, resident:
Munich, Menterschweigstrasse 18, having been duly warned that I
should render myself liable to punishment by making a false
affidavit, declare herewith the following under oath voluntarily
and without coercion:

The photograph on the opposite side has been taken in the
workrooms of the Agfa Camera works in May 1943 by the former
works photographer Herr Boehm. The women in dark dresses are
prisoners, who had been allocated to us by the prison Stadel-
heim; the others are free German workers.

Munich, 24 November 1947

(signed) Ferdinand Wagner

C E R T I F I C A T E

The correctness of the signature of Herr Ferdinand Wagner is
herewith certified.

Munich, 26 November 1947

Police Head Quarters

Police Station East
By Order

(signed) Dobler
Dobler
Chief Clerk

Stamp
(seal)

Stamp

Gajewski No. 70

Exhibit No.

-2-



-38a-

Gajewski No. 71

Exhibit No.

A f f i d a v i t

I, Ferdinand Wagner graduate physicist, resident: Munich Monters-
schwaigstrasse 18, having been duly warned that I should render
myself liable to punishment by making a false affidavit, declare
herewith the following under oath voluntarily and without coercion:

In August this year, I myself took the photograph which is on
the opposite side. It shows the quarters for construction
workers. The same quarters served during the war as accommodation
for convicts, who were sent to us by the prison Stadelheim.

Munich, 24 November 1947

(signed) Ferdinand Wagner

C E R T I F I C A T E

The correctness of the signature of Herr Ferdinand Wagner is
herewith certified.

Munich, 26 November 1947

Police Head Quarters

Police Station East
By Order

(signed) Dobler

Chief Glerk

Stamp

(seal)

Stamp

Gajowski No. 72

Exhibit No.

-2-



Gajowski No. 73

Exhibit No.....

A f f i d a v i t

I, Ferdinand W a g n e r, graduate physicist, resident: Munich
Monterschweidgstr. 18, having been duly warned that I should
render myself liable to punishment by making a false affidavit,
declare herewith the following under oath voluntarily and
without coercion:

In August this year, I myself took the photograph which is on
the opposite side. It shows the quarters in Schwaneestrasse
(now renamed Weisenseestrasse) No. 7. 7a and 9. In the
corner part of the building which is marked, KZ-inmates
were quartered, in the other parts member^s of the Agfa Camera
works.

Munich, 24 November 1947

(signed) Ferdinand Wagner

C E R T I F I C A T E

The correctness of the signature of Herr Ferdinand Wagner is
herewith certified.

Munich, 26 November 1947

Police Head Quarters

Police Station East
By Order

(signed) Dobler
Dobler
Chief Clerk

Stamp

(S-1)

Stamp

Gajewski No. 74

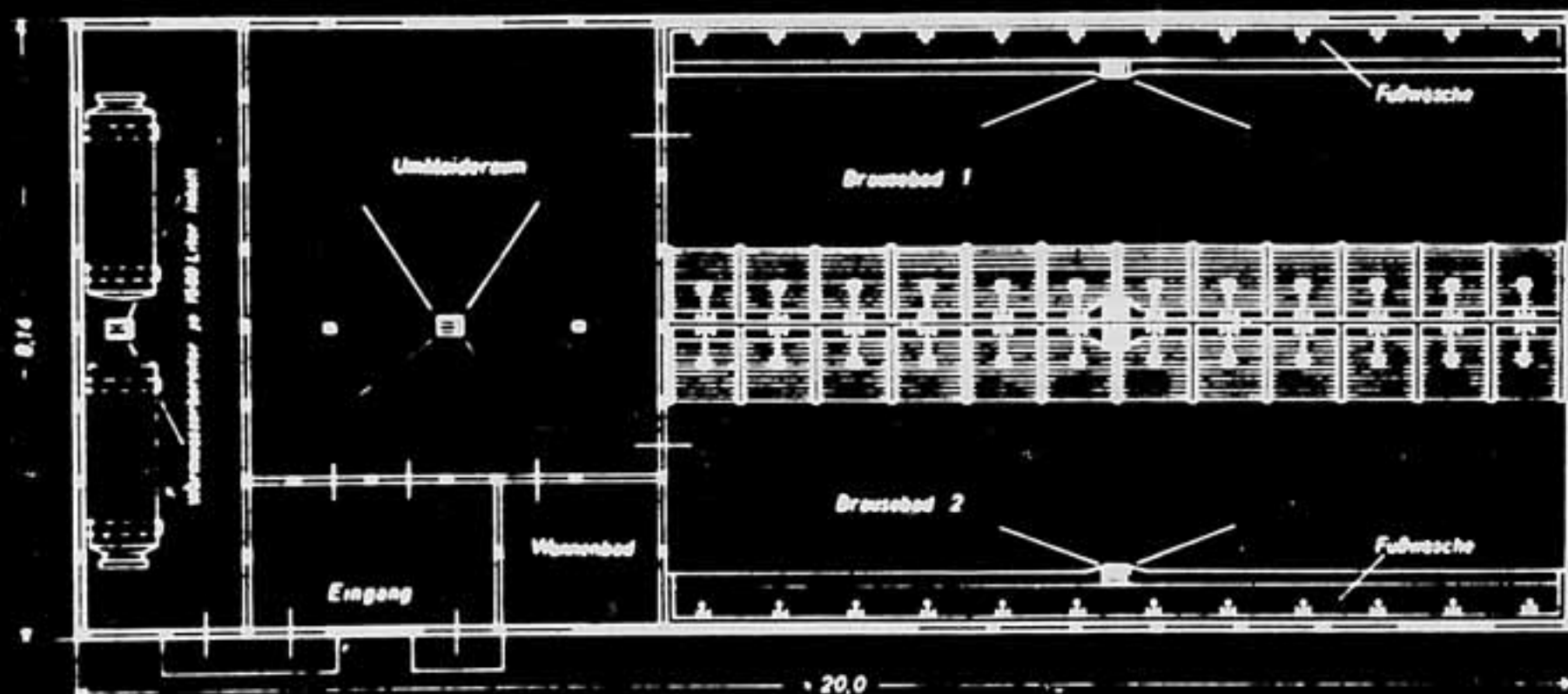
Exhibit No.....

-2-

*Familien
von Winkelmüller*



L



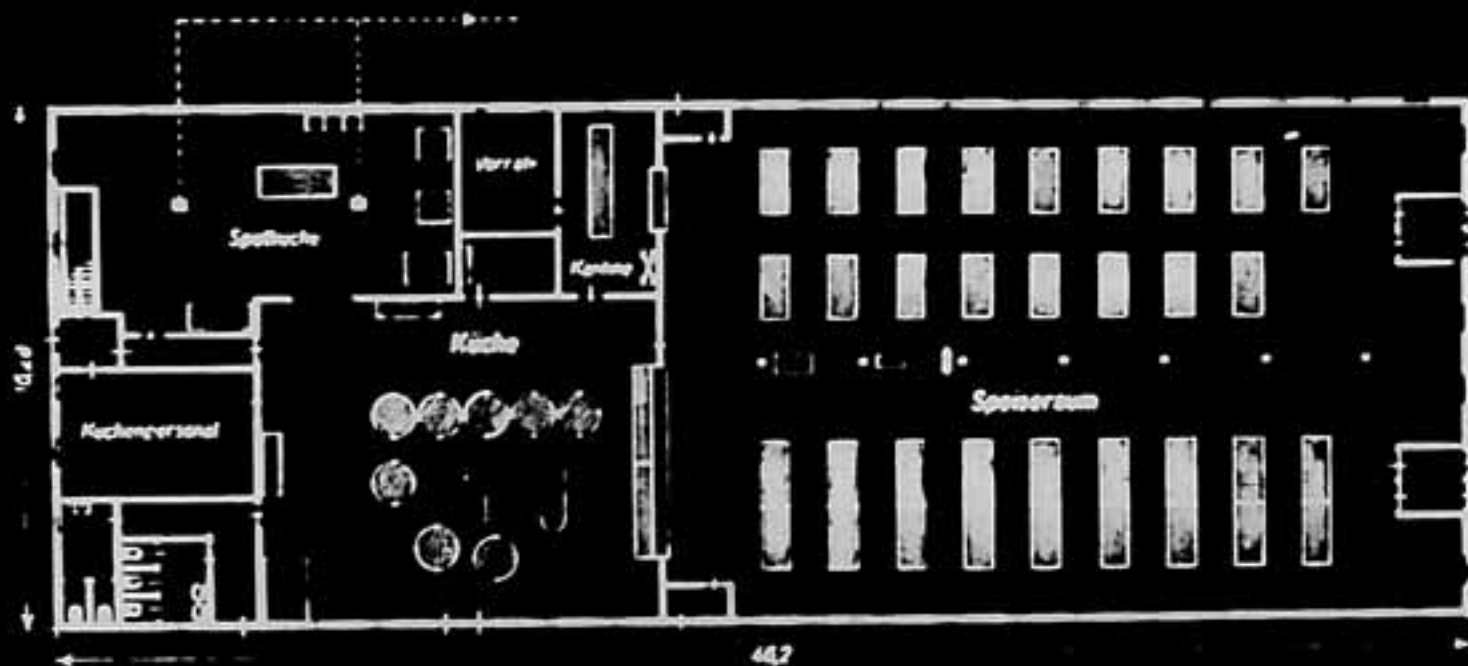
Rice

Gajewski No. 75

Exhibit No.....

-8-

Enclosure 2

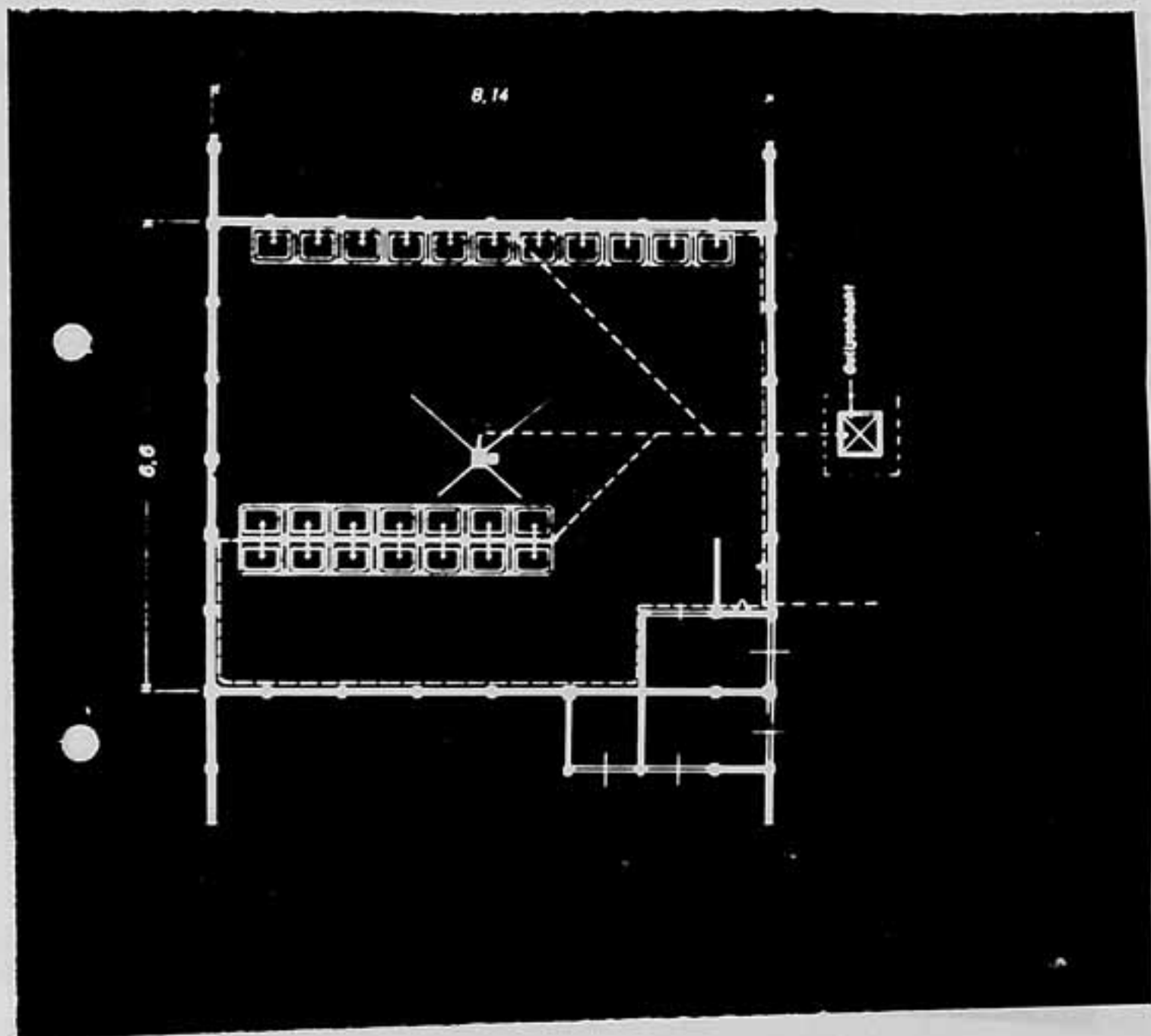


-41b-

Gajewski No. 75

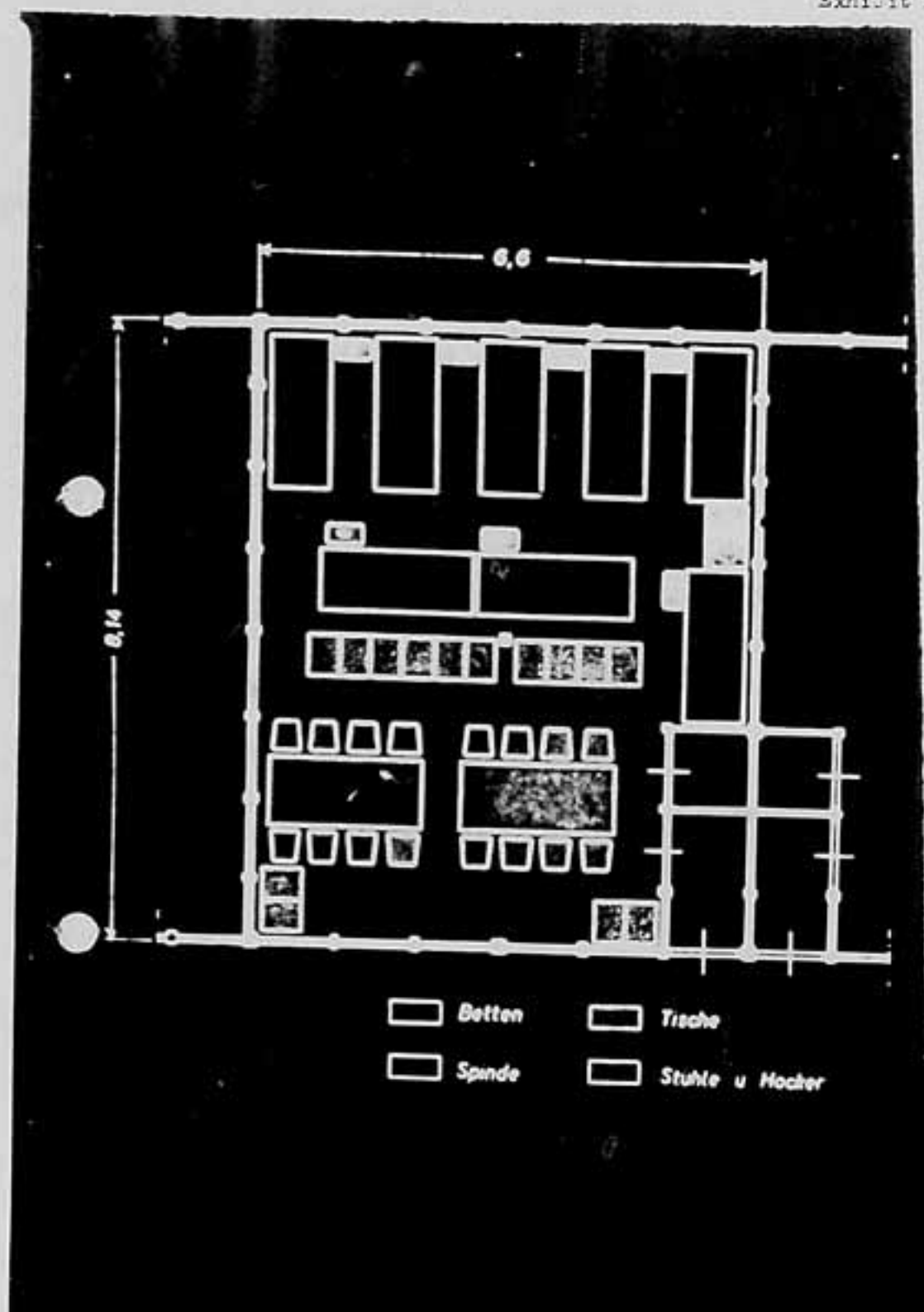
Exhibit No.

-4-



Gajowski No. 75

Exhibit No.



CERTIFICATE OF TRANSLATION

14 April 1948

We, the undersigned herewith certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of the Doc. Book 4, Gajewski.

Pages:

1-28

CHARLES GORDON
Civ. No. B-316497

Pages:

I-IV

29-37a

FLORA C. GOTTSCHALK
Civ. No. 20094

Pages:

38-41d

SUSANNE DAVID
Civ. No. 20174

6
TRIBUNAL VI
CASE VI

Case 6
Defense

SUPPLEMENT

to

Document Book IV

for

Dr. Fritz GAJEWSKI
(Gajewski Document No. 84)

Submitted by his Counsel
Dr. Wolfram von METZLER
Attorney -at-Law

Long



Gajewski No.	Exh. No.	C o n t e n t s	page
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84

Affidavit of 26 April 1948 by Dr. Alfred MILLER, former assistant of Defendant GAJEWSKI, concerning the affiant Dr. Gerhard OLLENDORFF. Dr. MILLER testified that Dr. GAJEWSKI had, at the time, informed him of the negative result of the search of Dr. OLLENDORFF's house and of the fact that he had immediately reported to the Secret State Police that no documents relating to manufacturing specifications had been found and that the IG had no longer any objections to Dr. OLLENDORFF's emigration.

36

- 36 -

A F F I D A V I T.

I, Dr. Alfred MILLER, born on 25 May 1893 in Kempten in the Allgaeu, Bavaria, at present residing in Bissingen near Donauwoerth/Bavaria, have been shown Doc. NI-13 522, Exh. 1957 by Defense Counsel for Dr. Fritz GAJEWSKI with the request that I make a statement on the matter.

I therefore declare the following:

My former superior, Dr. Fritz GAJEWSKI, former member of the Vorstand of the IG. Farbenindustrie A.G. told me immediately after he heard the result of the search of the house of the former chief of the Agfa-Film factory, Dr. Gerhard OLLENDORFF, that he would at once inform the Secret State Police that the search at the home of Dr. OLLENDORFF had shown that the latter was not in possession of any documents relating to the manufacturing process of the film factory and that the firm had thus no longer any objections against his emigration.

I am making the above statement in the form of an affidavit.

I am fully aware of the serious penal consequences of a false affidavit in accordance with German as well as military laws.

- 37 -

I know that my statement will be used as evidence in proceedings
before a Court.

Bissingen, 26 April 1948

Signed: Dr. Alfred MILLER

Dr. Alfred MILLER

I herewith certify the above signature of Dr. Alfred MILLER,
personally known to me.

Bissingen, 26 April 1948

Signed LABER

LABER

Mayor of the Market Town
of Bissingen.

Seal: Markt Bissingen, Bavaria.

CERTIFICATE OF TRANSLATION.

Date 3 May 1948

I, Rose WEIVER, Civ. No. 20 110, hereby certify that I am a duly
appointed translator for the German and English languages and that
the above is a true and correct translation of the Supplement
to Document Book VI for Gajewski.

.....
Rose WEIVER
20 110

Defense
Case 6

TRIBUNAL VI

CASE VI

DOCUMENT BOOK V
(Supplementary Volume)

for

Dr. Fritz GAJEWSKI

submitted by
the Defense Counsel

Dr. Walfren v. HETZLER,
Attorney at Law



Jungl.

Index to Document Book V

(Supplementary Volume)

for Dr. Fritz GAJEWSKI, Case VI

GAJEWS- KI-No.	Exh. No.	CONTENTS	Page
76		<p>Affidavit of Erich HERRMANN, until the end of the war Prokurist and head of the Management's office of the I.G. Berlin SO 36, Agfa, concerning the employment of Russian POW's in the I.G. works Landsberg. The witness states that at the beginning of 1942 Dr. GAJEWSKI informed him of the existence of considerable differences of opinion between the management of the Landsberg works and the competent military instances in connection with the employment of Russian POW's. Dr. GAJEWSKI had requested him to do everything to straighten out this matter. In a following discussion with the head of the competent POW camp it was established that the state of health of the Russians was already bad at their arrival, obviously owing to insufficient nourishment. The head of the POW camp had promised to improve conditions and to exchange the Russians who are not fit to work on account of their bad physical condition. Housing conditions in the accommodations belonging to the Landsberg works offered no grounds for complaints.</p> <p>"Dr. GAJEWSKI was at that time given detailed information of the entire matter. He expressed his satisfaction that the complaints lodged against Landsberg were groundless and that he had not expected anything else. As, according to his attitude, he condemned excesses against, and maltreatment of, workers, regardless whether they were Germans, foreigners, or POW's he would have intervened energetically had it been otherwise.</p>	1
77		<p>Affidavit of Dr. Rudolf HOFMANN, Direktor of the I.G. Works Landsberg until January 1945 concerning the Pros. Exh. No. 1953 and 1954. The witness also states, that owing to insufficient food, a large part of the Russian POW's was in such bad physical conditions already at the time of their arrival in Landsberg</p>	5

77
continued

that a number of them died shortly thereafter and that only a part of them could be put to work. He declares that the competent military office in question was responsible for the medical care and the food of the prisoners, that, however, attempts had been made by the works to improve the food situation. He then proceeds to describe in detail the ensuing disputes with the Wehrmacht which are the subject of the letter introduced as the above-mentioned exhibits and continues:

"The above-described difficulties concerning the Russians POW's induced me to inform Dr. GAJEWSKI of the matter, after the discussions with the Stalag came to such a deadlock, that I considered his intervention as necessary. Herr GAJEWSKI, who fully shared my opinion concerning the untenableness of these conditions, thereupon requested the head of the Direktor's Office of the Agfa in Berlin SO 36, to come to my assistance in this matter and if necessary, to submit the matter to superior Wehrmacht instances."

In conclusion, mention should be made of the fact that according to the statements of the witness, the Landsberg works was well satisfied with other POW's, particularly with the Serbs.

78

Affidavit of Dipl. Ing. Hans RICHTER, until January 1945 Chief Engineer of the Landsberg Works, in which the witness states that the supervision and control over the Russian POW's employed at the works was exclusively exercised by the Wehrmacht which also includes work assignments, the physical examination to determine their fitness for work and the food of the POW's. Apart from this civilians were not permitted to enter the POW camp, in exceptional cases only when accompanied by military personnel.

14

GAJENS- KI-No.	Exh. No.	CONTENTS	Page
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79		Affidavit of Albin SEETHALER, employed until January 1945 in the Direktor's Secretarial Office of the Landsberg Works. The witness testifies that the POW's were assigned to the works at the request of the labor office and that their care and feeding was the responsibility of the Wehrmacht. He maintains that inadequate housing and feeding in the zone of operations must be blamed for the bad state of health and the deaths in the case of the Russians. The Russians POW's were only used for light work. Upon the complaint of the works management the colonel in charge had promised to bring about an improvement of the conditions and to withdraw the POW's not fit for work. However, he had not kept his promises with the result that considerable disputes took place between the work management and the Wehrmacht. Finally the Wehrmacht withdrew all the Russians from the Landsberg Works.	18
80		Affidavit of Adolf WESTHOFF. The witness held a position in the OKW since the beginning of 1943 and was handling POW matters, at the last as Chief, respectively, as Inspector of POW matters. He reiterates that the Commanders of the POW camps had the sole power of command and punishment over the POW's assigned to their camps. "In addition they were also responsible for the housing, feeding, guarding, supervision and labor allocation matters of the POW base camps (Stalag) and the work details subordinated to them and were held liable that the directives issued by the OKW were adhered to in the camps as well as in the case of the work details."	23
81		Affidavit of Dipl. Ing. Hans RICHTER. The witness who since 1939 had had a part in drawing up the technical plans for the construction of the Landsberg works, declares that increased sales and the development of new products, particularly of the coloured film, made the erection of this film factory necessary. He states that the production	25

GAJEWSKI- XI-No.	Exh. No.	CONTENTS	Page
81 continued		<p>of aviation films was neither intended nor was it necessary in view of the fact that the capacity of the film factory WOLFEN was altogether sufficient.</p> <p>"As the film factory Landsberg/Warthe had been exclusively planned for peace production, construction on this plant was ordered to be stopped immediately at the outbreak of the war..... even the two finishing buildings, one of which was intended for cinematographic films and the other one for amateur films, had to be left as they were, as ruins without roofs."</p>	
82		<p>Affidavit of Jean HERBECK concerning Exh. No. 1951, NI-13545, which is the letter of Dr. GAJEWSKI to Prof. SELCK of 5/9/34. The witness testifies that Dr. GAJEWSKI had been the victim of an error when he spoke of him in this letter as a Gestapo member, and that he took steps with Dr. GAJEWSKI at once to rectify this error. He was at no time a member of the Gestapo or the SD, but had been merely a private employee of the I.G.</p>	28
83		<p>Affidavit of the defendant Dr. Fritz GAJEWSKI regarding the Pros. Doc. NI-13522 which concerns the matter of Dr. OLLENDORFF. In this affidavit the defendant supplements his commentary of the document, given in his cross examination and in the redirect examination, to the effect that the I.G. had informed the Gestapo already in December 1938 of its agreement with Dr. OLLENDORFF's emigration and that his arrest came as a complete surprise for the defendant.</p>	31

Affidavit

I, Erich HERMANN, residing at Lauingen/Danube am aware that I render myself liable to prosecution if I make a false statement on oath. I declare upon oath that my statement is true and that it was made for use as evidence at the Military Tribunal No. VI, at Nuernberg, Germany:

Until the end of the war I was Prokurist and chief of the Direktor's office of the I.G. Farbenindustrie, Berlin SO 36, "Agfa". In this capacity I was informed by Dr. GAJEWSKI about the unbearable situation in connection with the utilization of Russian PWs in the Landsberg Farben-plant. These conditions had led to heated arguments between the competent military agencies and the plant manager, Dr. HOFMANN. As far as I remember, Dr. GAJEWSKI informed me by telephone that the military authorities tried to make the plant management responsible for the poor health of the Russians, even for numerous deaths giving as a reason that they had to perform heavy work. He ordered me to get into touch with Dr. HOFMANN and to do everything to settle the differences. Consequently I contacted Dr. HOFMANN by telephone. Arrangements were made for a joint conference with

the manager of the PW camp in question, Colonel Count SCHACK, from which the Russians had been obtained and the referent at the Land Labor Office Brandenburg, Oberregierungsrat BLESS. In the course of the conference which took place soon afterwards, Colonel Count SCHACK raised accusations mentioned above. A hot discussion going into all details developed, in the course of which Dr. HOFFMANN was able to invalidate the accusations by giving a description of the working conditions so that the colonel had to drop them and had to acknowledge the fact that any culpable behaviour of the construction management was out of question in this connection. The following facts were pointed out by us with disapproval

- 1.) the state of health of a great part of the Russians had already been very poor at the time of their allocation and obviously because of bad nourishment,
- 2.) the food in the PWs camp was not sufficient and deteriorated even more due to the mess manager's dishonesty in the camp when distributing the food.

The management of the PWs camp promised that the conditions would be improved. Furthermore the exchange of Russians not fit for work was agreed upon. After the conference

an inspection of the PW camp which was situated outside the plant, was held. The camp was clean and in order. There could not be any objection to the housing. A great number of the Russians in the camp were in a bad physical state which made them unfit for work. Thus it was evident that the construction management of the Landsberg plant had no influence on the cause of the Russians bad state of health which however was to be remedied by the military authorities. A few weeks later Dr. HOFMANN informed me that the Inspecteur of the PW camps General GOELLNER, during his personal visit in Landsberg had ordered the transfer of all Russians working at the building site of the I.G. plant, also of those fit for work. It was not without reason, that Dr. HOFMANN had the impression that inspite of the informative discussion his subordinate office had sent behind his back, unfavorable reports to the superior offices because the people who had been directly responsible for it, wanted to clear themselves. Consequently I contacted the superior office in Berlin, protested against the new accusations and once more explained the circumstances. Our viewpoint was accepted as correct, as far as I remember. Dr. GAJEWSKI was fully informed about the

affair. He showed his satisfaction that the accusations raised against Landsberg were unjustified as he had expected. As, according to his whole attitude, he condemned any abuse and mistreatment of workers, regardless whether they were Germans, foreigners or PWs, he would, without doubt, have taken energetic action.

Leuvingen, 6 April 1948.

ERICH HERMANN

(signed: Erich HERMANN)

I herewith certify that the above signature of Erich HERMANN, residing in Leuvingen/Doneau and personally known to me, has been affixed here today in my presence.

Leuvingen, 6 April 1948

CARL WEYER

(signed: Carl WEYER)

A f f i d a v i t .

I, Dr. Ing. Rudolf H o f m a n n , am aware that I render myself liable to prosecution if I make a false statement in lieu of oath. In November 1938 I was called to be the director of the then planned I.G.-Werk Landsberg of Section III, the building activities of which were started in February 1939. I had this post until the Russians came on 30 January 1945. The following documents

Exhibit 1953 NI - 13551
Exhibit 1954 NI-13544.

introduced by the Prosecution in Case VI before the Nuernberg Military Tribunal have been submitted to me. Regarding these communications signed by me personally, I state in lieu of oath the following:

At the end of November 1941 500 Soviet prisoners of war were assigned to our building project in Landsberg/Warthe. Due to malnutrition over a long period of time and exposure in camps under the open sky a large number of these prisoners were in such poor health that numerous deaths occurred right after their arrival in Landsberg. From reports of eye-witnesses we learned that already at the station in Landsberg when the prisoners of war were leaving the cars

a number of them in very critical condition had collapsed.

These were not the only prisoners of war working at the Landsberg building project. The first ones we had were mainly Serbian prisoners of war, later on also French. All of them were in good health and no difficulties came up. With the Serbian prisoners of war especially our experiences were very good.

The prisoners of war were housed in camps of barracks just like the foreign workers. The camps were located on the factory premises but outside of the factory fence and had been erected and furnished by our firm. All the rooms could be heated, first each room separately, later on with steam heating. Each person had a bed with a pailasse and blankets. The whole camp was provided with one delousing station and a laundry.

The barracks of the Soviet-Russian prisoners of war was also within the camp. It was furnished just like the others. By order of the military authorities it had to be surrounded by a double barbed wire fence. This was the only difference between it and the rest of the camp. It was all completed when the Russian prisoners of war arrived and was ready to be used at once. In the camp were barracks for the military

guards who had charge of the prisoners. Normally civilians were not admitted.

Whereas the German and foreign civilian workers received medical care from the plant physician and the (partly foreign) camp physicians, the medical attention for the prisoners of war also was regulated by the Armed Forces. As far as I can remember there was always a medical sergeant who was subordinate to the Stalag - or station hospital physician, on duty in the camp of the Soviet prisoners of war.

The upkeep of the camps was the responsibility of the welfare bureau (later personnel section) of the plant. It was traditional with our Konzern to be generous in all problems of welfare, and we lived up to this tradition also during the war in spite of all the difficulties. It goes without saying that the efforts to provide good housing conditions included the prisoners of war of all nationalities exactly like the German and foreign civilian workers. Here may be pointed out that our exemplary way of housing was repeatedly acknowledged from various sides.

In accordance with official regulations, the camps of the German and foreign civilian workers were until about the end of 1942 under the administration of the DAF (German Labor Front). This applied also to the procurement and distribution of victuals and meals,

whereas the Konzern had to provide the kitchens and their furnishings. The administrative work of the DAF was very expensive for us; we were moreover convinced that we ourselves could take care of the camp inmates much better than the DAF. We, therefore, put forth great efforts to get the administration into our own hands and were then probably one of the first concerns from whose camps administration the DAF withdrew and whose camps were managed by the Konzern. By buying on the side at higher prices we were able to improve the food situation. The rations in our camps were considerably higher than those of the German population at the same time.

The feeding of the prisoners of war including the Soviet Russians was regulated according to special directives of the Armed Forces. A special kitchen was provided in which the cooking was done under the supervision of the military guards. For this job the plant hired a cook whose name (Krause) had been supplied by the DAF and he had two or three German women and several Russian helpers. To my knowledge the rations to the kitchens were also supplied through the DAF. There were, as far as I remember, certain differences in the feeding but whether it was in quantity or quality, I cannot recall. On the plant's side everything was done to obtain better food for the Russian prisoners of war by appealing to the military

(Stalag) as well as to the civilian authorities. We did this as a matter of course for social reasons as well as because we were interested to make profitable workers out of the Soviet-Russian prisoners of war. In spite of many promises, we received no help through official channels. The chief of our welfare bureau himself tried to get additional food for the whole camp. The Russians also received of this and I do remember that additional warm food was given out to the Russians on the building site.

About January 1942, it was reported to me that the cook Krause was under suspicion of having misappropriated victuals from the Russian kitchen. This report came from the commander of the Russian camp, technical sergeant Sommerfeld. This I caused to be investigated at once; the military authorities also had the case investigated by a court officer. Although the investigations brought no definite proof, communications from the welfare bureau gave me the impression that the cook was not honest. We suspected but could not prove it that the camp leader of the DAF with Krause's assistance was involved in some underhanded manipulations which affected the whole camp (not only the kitchen for the Russians). I, therefore, considered the cook as impossible and saw to it that he was given notice at once.

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The building management in charge of all the jobs connected with the building distributed all the workers, prisoners of war as well as the indigenous and foreign laborers to the building contractors which worked on the various building sites. The military guards brought the prisoners of war to the building sites where the prisoners did the work assigned to them by the contractors while at the same time they were guarded by the military guards.

As already mentioned, the majority of the Soviet-Russian prisoners of war were upon their arrival already in very bad health. The decision as to the fitness for work and thus the utilization of the Russians rested exclusively with the medical personnel of the Stalag without consulting the plant physicians. From the very start we urgently requested the military authorities to take back the workers who were unable to work and to replace them with fit ones. However these efforts brought no results whatsoever. Further difficulties developed in using the Russians when those who were able to work showed little inclination to do so and neither the guards nor the supervising personnel of the contractors were allowed to take any measures against this according to the special directives of the Armed Forces mentioned in the communication of 24 January 1942. The Russians' disinclination to work threatened to have a very unfavorable influence on the other workers and thereby endangered the work-performance and the peaceful working on the building site as I likewise pointed out

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in my communication of 24 January 1939. In any case due to the unsuccessful negotiations, relations with Stalag became more and more strained and finally it led to vast differences with the Stalag. Colonel Count SCHACK, who was in charge of the base camp, was 2 or 3 times in Landsberg. I had informed him (during his first visit I believe) of our wishes concerning better food and the withdrawal of unfit workers. I have already stated that our efforts in this direction had brought no results at all.

On his last visit or the one before the last he charged our concern with having assigned too heavy work to the Soviet-Russian prisoners of war and not having given them enough to eat. In this connection he referred to the irregularities of the cook KRAUSE described above. When I termed this a complete misinterpretation of the facts, a heated discussion followed. I told the Colonel something like this: "For months we have endeavored to get better food for the Soviet-Russian prisoners of war. The facts of the case are that the majority of these people were received by us from the Armed Forces in a half-starved and sick condition. This is to be attributed to the poor treatment in the camps of the Armed Forces. Due to orders from higher up the Armed Forces now seem to realize that profitable workers are only to be had with suitable food and treatment and would like to blame us now for their shortcomings in the past

(page 8 of original)

by attaching far more importance than it actually deserves to the incident with the cook KRAUSE and by bringing the charge against us that we made the Russians work too hard. Yet the contractors assigned only lighter tasks, especially the levelling of roads, to the Russians." I distinctly remember that the colonel threatened to report me for "Insulting the Armed Forces" but then came round and said that the examination of the Soviet-Russian prisoners of war had revealed such a bad state of health that they would have to be used in agriculture. Thus the result was that with the arrival of the better season we had to give up the Soviet Russian prisoners of war with whom we had had the greatest difficulties in every respect, after the I.G. had been good enough to take them on during the winter without any performance of work worth mentioning.

I found it necessary to inform Herrn Dr. GAJEWSKI of the difficulties with the Russian prisoners of war as described above, after the negotiations with the Stalag had come to such a deadlock that I felt it required his intervention. Herr Dr. GAJEWSKI who fully shared my opinion that these conditions were intolerable, then asked Herrn HERRMANN, the chief of the division of the directorate (Direktionsabteilung) of the AGFA in Berlin SO 36, to interest himself in this affair in order to assist me and if necessary to remonstrate with the superior offices of the Armed Forces in Berlin.

(page 9 of original)

The letter of 13 March 1942 also was intended for his information. This letter shows that we were eager to have it made clear by all means that the charges brought against us by the Stalag were absolutely unfounded.

Shortly afterwards the Soviet Russian prisoners of war were withdrawn whereas the others remained on the building site.

Dornagen, 12 April 1948

DR. RUDOLF HOFMANN

(signed Dr. Rudolf HOFMANN)

Document File No. 280 for 1948

The undersigned Doctor of Law Joseph OFFERMANNS, Notary Public in Dornagen hereby certifies that the above signature of the Fabrikdirektor Dr. Rudolf HOFMANN, residing at Dornagen, Bahnhofstrasse 30.

Dornagen, 12 April 1948.

Dr. OFFERMANNS

NOTARY PUBLIC.

(L.S.)

Dr. jur. Joseph OFFERMANNS

Notary Public at Dornagen.

A f f i d a v i t .

I, Dipl. Ing. Hans R i c h t e r , residing at Leverkusen near Cologne, was formerly the Technical Department manager of Farben's former Landsberg/Warthe plant. Having been cautioned that I would render myself liable to punishment by making a false affidavit, I voluntarily affirm the following concerning the employment of Russian prisoners of war during the period between the end of 1941 and the spring of 1942 in this plant:

The Russians worked in our construction department, which was managed by our parent company in Wolfen, as well as with outside building firms who carried out projects for our company there.

I am making the subsequent statements according to my best knowledge, relying, for my observations, purely on memory. I have no files whatever concerning these matters to which apply the following particulars:

The German Wehrmacht was exclusively in charge of the care and supervision of the Russian prisoners of war in Landsberg. Military sentries led these prisoners to and from their place of work, and guarded them also during the entire working time. They were employed

mainly at road levelling work. Working orders were issued to the Russians by officials of outside building firms engaged by us in Landsberg.

The Russians were housed in a part of our barracks-camp, which was separated by a double row of barbed wire and located adjacent to, but outside the plant. This barbed wire fence constituted the only difference between their housing and that of the rest of the camp where those Germans and foreigners lived who worked for us in Landsberg.

All barracks in the camp had the same furnishings and sanitary equipment. Only once, through the intervention of our plant protection service and under the guidance of the camp guard detail's corporal on duty, did I have an opportunity to inspect the Russian prisoners camp. Thus, without being accompanied, it was impossible to enter there. At that time I saw the barracks for the guard detail as well as those in which the Russians lived. The equipment of all these barracks was equal, their cleanliness beyond reproach and up to the same standards.

The output of the Russians was extremely low. Only a part of them appeared for work which was assigned by the guards.

The prisoners' ability to work was judged according to viewpoints of physical fitness by the competent military physician, and/or the medical personnel.

As far as I know, the Wehrmacht supervised the feeding of the Russian prisoners of war. The hot meals, however, were cooked in the kitchen of our barracks-camp which was managed by the DAF (German Labor Front). I heard at that time, in the course of a conversation, that supplementary food, such as vegetables, etc., were procured from the surrounding farms by Herr Seybold, then manager of the work's social department. The camp's food supply benefited exclusively from these purchases.

As far as I remember, some of the Russians were detailed by the Wehrmacht to work in other factories.

In the spring of 1942, the Wehrmacht again shipped out the Russian prisoners of war.

My overall impression of their stay in Landsberg is substantially the following:

At the beginning of each winter the Wehrmacht and the other competent authorities tried, sometimes even by forcing the issue, to turn over to industry prisoners of war and also other foreigners under its care, with the purpose of having them housed and fed during the winter at the expense of industry. The prisoner-units were taken away

from industry at the beginning of spring in order to be put to work in agriculture.

Leverkusen near Cologne, 17 April 1948.

(signed) Hans Richter
(HANS RICHTER)

I herewith certify that Dipl. Ing. Hans Richter has personally appended before me his foregoing signature under his affidavit of 17 April 1948.

Leverkusen near Cologne, 17 April 1948.

(signed) Hanns Gierlichs
(HANNS GIERLICHs)

- End -

A f f i d a v i t .

I, Albin Seethaler, reside now in Dormagen near Cologne, Moltkestr. 6. I worked until January 1945 in the Directors' office of Farben's Landsberg/Warthe plant. I am making the subsequent affidavit concerning the employment of Russian prisoners of war in the Landsberg plant from approximately the beginning of December 1941 until the spring of 1942. I know that by rendering a false affidavit I would make myself subject to punishment.

Upon request of the labor office, the Stalag shipped prisoners of war to work in Landsberg on the Warthe (river). The military commander was in charge of the care and feeding, the food rations being delivered, according to orders issued by the military authorities, from the DAF (German Labor Front) camp, in whose kitchen, at first, were also prepared the meals.

The Russians were housed in Farben barracks whose sanitary standards were above reproach. In order to prevent epidemics, the delousing equipment and bathing facilities were increased, indeed, to such a degree that the DAF camp leader complained through the camp management to party authorities about the Russians being pampered. The local Nazi party management often expressed its reproaches because the German workers who had come there were hardly so well taken care of

as the Russians. In spite of all the hygienic care provided, some Russians died already immediately after their arrival, a fact which was due, however, to their insufficient housing and feeding in the area of military operations.

The Russians were not employed in the factory but at construction work, and because of their poor health due to undernourishment, they were used only for light labor. The company's frequent efforts to procure in a legal manner additional supplies from the food office for the Russians were unsuccessful because, concerning their rations, too, they were under military jurisdiction, and because the DAF camp was declared as being in charge of this matter. Upon the company's repeated requests, the "Haupt-Stalag" sent a Colonel Graf (count) Schack for a visit. He was plainly told about the impossible conditions to which the Russian prisoners of war were subjected. Graf Schack promised to use his efforts to get a better food supply and to take back into the Stalag camp the men who were unable to work. However, since this promise by the representative of the military authorities was not kept, the Landsberg company renewed its reports about the impossible conditions in question to all authorities concerned.

Colonel Graf Schack arrived about two months later for a second visit at which occasion he was unequivocally and unmistakably told that he had not fulfilled his promises. There followed

a very excited argument between the company management and the Colonel, resulting in the Colonel's threatening the plant manager with a challenge to a duel. Also present at the second discussion were Feldwibel (Tech. Sergeant) Sommerfeld, who was in charge of the Russian camp. Sommerfeld, who was known to be bucking with all means for promotion to the rank of officer, naturally took the viewpoint that the military authorities were not involved in the death incidence and he supported his superior, Colonel Graf Schack, in his attitude against the Landsberg company. Responsibility for the lacking improvement of the Russians' health was charged by Sommerfeld primarily to the DAF, and in addition to the mess manager Krause, and he even asserted that Krause and Hildebrandt were embezzling the camp's foodstuffs. However, an investigation by the military administration through a court office was unable to support the accusations against the mess manager Krause; it is hard to understand that this court office did not investigate the incidents taking place in the DAF camp - probably because a party affiliation was involved. Rumors in Landsberg began to circulate according to which Krause, the mess chief, and Hildebrandt, the DAF camp administrator, were involved in illicit removals of food. Krause, who was hired by the company upon the recommendations of DAF, was discharged, because more and more doubts piled up concerning his honesty.

A short time later, all Russians were shipped out by the military authorities.

I, the undersigned witness Seethaler, was part of the time present at the above-mentioned two discussions, in order to procure the required records for the meetings. However, I, the undersigned, remember the incidents not only because of my part-time attendance but also on account of the minutes then prepared in Landsberg. The minutes remained there when the company was suddenly evacuated.

I want to state in conclusion that the Landsberg company had only disagreeable experiences by employing Russians, and the building firms had to show expenses only without corresponding results. As already mentioned at the beginning, the Landsberg company was steadily exposed to reproaches for its energetic and expeditious increase of sanitary facilities. Amongst others, even the Landsberg Shoemaker's Guild complained because the shoe repair shop installed for the Russians mended their shoes quickly, while Germans had to run around in poor shoes. The local Nazi party management did not even hesitate to call Farben a "band of international capitalists", who, because of international capital (connections) had in wartimes the extraordinary advantage of having their plants spared bombings.

The relations between the Landsberg plant management and the party authorities were tense to such a degree that the plant manager was even threatened with being shot, because he advocated the removal of women, children and the sick before the Russian occupation, and one wanted to lodge charges against him before the People's Court even after the plant's evacuation.

Dornagen, 12 April 1948.

(signed) Albin Seethaler
(ALBIN SEETHALER)

Document Number 281 for 1948.

I, the undersigned Joseph Offermanns, Dr. iur, and notary public in Dornagen, herewith certify the foregoing signature of Albin Seethaler, a clerk, living at Dornagen, Moltkestrasse 6.

Dornagen, 12 April 1948.

(signed) Dr. OFFERMANN
Notary Public.

Official Stamp
Dr. iur. Joseph Offermanns
Notary Public in Dornagen.

- End -

A f f i d a v i t .

I, the undersigned former Brigadier General Adolf Westhoff, born on 21 February 1899 in Rheda in Westphalia, at present residing in Muerenberg, witness house, am aware that I render myself liable to prosecution if I make a false statement on oath. I declare on oath that my statement is true and that it was made for use as evidence at the Military Tribunal No. VI.

During the war until 1943 I was at first commander of a battalion and then commander of a regiment at the front. In February 1943 I came to the GKW.

There I was at first in charge of the General Department in the office of the Chief of Prisoner of War Affairs within the General Wehrmacht (AWA) which was subordinated to General Peinecke who in turn was subordinated to the Chief of the GKW. On 1 April 1944 I became Chief of Prisoner of War Affairs and on 1 October 1944 Inspector for Prisoner of War Affairs.

In the General Department mentioned above the questions of the treatment of POWs, their employment, their pay, their feeding,

their quarters a.s.o. were dealt with. The carrying out of decrees, orders and directives of the OKW issued in this connection belonged to the functions of the replacement army, i.e. the military area commanders and their subordinates, the individual camp commanders, appointed by the army personnel office upon the suggestion of the army personnel office. They alone had the commanding and disciplinary power over the POW-camps of the Z.I. and the POWs quartered therein. They were also responsible for the quartering, feeding, guarding, care and employment of the Stalags subordinate to them and the work details. They were also responsible for the observation of regulations issued by the OKW on the part of camps as well as labor details.

Nuremberg, 15 April 1948.

(signed) Adolf Westhoff
(ADOLF WESTHOFF)

I hereby certify that Adolf Westhoff, former Brigadier General has signed the above affidavit with his own hand before me on 15 April 1948.

Nuremberg, 15 April 1948.

(signed) Dr. W. v. Metzler
(DR. W. v. METZLER)

A f f i d a v i t .

I, Dipl. Ing. H. R i c h t e r , residing at Leverkusen near Cologne, after having been informed that I render myself liable to prosecution if I make a false statement on oath do state the following voluntarily in my capacity as former manager of the technical department of the former Farben Works Landsberg/Warthe with regard to the film factory in those works:

Since 1939, I collaborated within the field assigned to me in the technical planning of the construction of the branch factory of the Agfa Filmfabrik Wolfen which was located in Landsberg.

The necessity of constructing a second film production studio was established by the increase in sales and the development of new special fields, particularly by the creation of technicolor pictures. The directors of Wolfen established the guiding principle that the Landsberg Works should take over the production of the most saleable and easiest made types of film, i.e. roll film and moving film positiv. This directive was mainly based on the thought that a new plant having for many years to overcome additional difficulties regarding the training of inexperienced labor and the breaking in of new machines should not be burdened with tasks.

particularly exacting by reason of their novelty.

The twelve raw film casting machines planned and set up for the Landsberg Works were to be used as follows:

- 8 casting machines for raw film
- 3 casting machines for movie film positiv
- 1 casting machines for experiments within the works

The necessity of setting up 12 casting machines instead of 11 machines resulted from the construction of the building, as 6 casting machine rooms had been provided for every two casting machines.

It is not known to me that there had been an intention of producing aerial film in the Landsberg Works. During the technical discussions this question had never been dealt with. In my opinion it would not have been necessary either, since, as far as I remember the production of aerial film, even in 1943, amounted to less than 10 % of the potential of the Wolfen film factory.

As the film factory Landsberg/Werthe had been planned for peace-time production only, work on this factory had to be stopped immediately at the beginning of the war. At this time only the raw film casting installations had been finished. This production had to be converted later on ^{to} the production of sheets. Permission was not given any more to start the construction of the emulsion factory and the coating plant, even both finishing plants, one of which was intended for movie film, the other for amateur film, had to be left standing as ruins, without a roof, in their present state of construction.

Leverkusen, 17 April 1948.

(signed) Hans Richter
(HANS RICHTER)

I hereby certify that Herr Dipl. Ing. Hans Richter has signed the
above affidavit with his own hand in my presence on 17 April 1948.

Leverkusen near Cologne, 17 April 1948.

(signed) Hanne Gierlichs
(HANNE GIERLICH)

- End -

Affidavit

I, Jean HERBECK, after having been cautioned that by making a false affidavit I render myself liable to punishment hereby declare that my statement is true and was made in order to be submitted as evidence to the American Military Tribunal No. VI in the Palace of Justice at Nuremberg, Germany.

Ad Personam:

My name is Jean HERBECK. I was born on 6/6/1877 as the son of the Market Fee Collector Kaspar HERBECK. I am married, a pensioner, and reside at Bad Godesberg, Wurzerstrasse 45. In 1921 I quit the Criminal Police Force in Cologne, where I held a position as Kriminal-Oberkommissar, to accept a position with the Farbenfabriken formerly Friedrich BAYER & Co. Here I was placed in charge of the works security service and the attached central office for the prevention of illicit exports (illicit trafficking of goods), adulterations of goods and the betrayal of business and manufacturing secrets.

Ad Rem:

The Document NI-13545, Exh. No. 1951 of the Prosecution in Case VI has been submitted to me,

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The document in question is a letter of Dr. GAJEWSKI to Professor SELCK of 5/9/1934. Dr. GAJEWSKI wrote in this letter that I was a member of the Gestapo. Obviously, Dr. GAJEWSKI had been the victim of an error and I took steps at once with Dr. GAJEWSKI and Prof. SELCK to rectify this error. Prof. SELCK knew of it already.

After I had left the service of the State as a criminal police official and had accepted employment with the Farbenfabriken formerly Friedrich BAYER & Co., I subsequently exercised no official police functions. I was especially not a member of the Gestapo after 1933, neither was I their agent, nor an agent of the Security Police (SD.). I merely was a private employee of the Farbenfabriken formerly Friedrich BAYER & Co. and subsequently of the I.G. Farbenindustrie Aktiengesellschaft. The designation "Security Service" of the Farbenfabriken was chosen in 1921 at a time when this designation was not yet in use for state organizations. When in 1933 this term was applied to the security service (SD.) of the Party, the name of "Works Security Service" was changed to "Industrial Police" (Werkschutz), to avoid mistakes. Apart from this the following is to be said regarding the above letter of Dr. GAJEWSKI of 5/9/1934: Dipl. Ing. Richard DOERR, as deputy Direktor of the I.G. Farbenindustrie Aktiengesellschaft in the works WOLFEN, exercised the functions of Oberingenieur (senior engineer) until 1933 and he left at that time for reasons connected with his conduct.

In this connection several investigations of the Prosecuting Authorities Halle and of the Prosecutor General in Berlin were pending at that time,

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in which I had a part as the head of the above-mentioned I.G. Central Office. My position and activity was generally known to the Reich Ministry, etc. My discussion concerning the DOERR matter took place on 5/9/1934 in the Reich Commissioner's Office for Raw Materials, whose officials knew that I was not a member of the Gestapo, but was a private individual in the service of the I.G. Farbenindustrie A.G.

Bad Godesberg, 13 April 1948.

JEAN MERBECK

(signed Jean MERBECK)

No. 387 of the document roll for 1948.

The undersigned Notary Public Dr. jur Paulin BAUM at Bad Godesberg hereby certifies that the above signature of Herr Jean MERBECK, Pensioner at Bad Godesberg, Wurzerstrasse 45, personally known to him, is genuine and was given in his presence.

Bad Godesberg, 13 April 1948.

The Notary Public:

(signed) BAUM

(Official Seal)

Dr. jur. Paulin BAUM

Notary Public at Bad Godesberg.

GAJEWSKI HR. 83
EXHIBIT NO.

Affidavit.

I, Dr. Fritz GAJEWSKI, at present in Nuernberg, am aware that I render myself liable to prosecution if I make a false statement on oath. I declare upon oath that my statement is true and that it was made for use as evidence at the Military Tribunal No. VI in the Palace of Justice in Nuernberg, Germany.

During my cross-examination in the afternoon of 3 March 1948, several letters and file-notes were put before me as prosecution document NI-13522, exhibit 1957 in connection with the GAJEWSKI document No.4 which had been submitted by my defense counsel. With regard to that I want to state that according to my memory only some of these documents were put before me, namely the copy of the letter to the Chamber of Industry and Commerce of 16 June 1936 as well as of the letter of 25 November 1938 to the Secret Police in Halle.

Consequently due to the lack of knowledge about the documents I could only express my opinion on the whole complex of questions in a very incomplete way. After the entire material submitted by the prosecution has now been put before me and I

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have refreshed my memory after looking through this material referring to events which had happened about 10 years ago, I state the following:

The prosecution obviously, by submitting the documents mentioned above, tried to prove that I, by informing the Secret Police in Halle about Dr. OLLENDORFF's emigration plans, brought about his arrest which took place in Berlin at the end of January 1939. As it can be seen from the submitted documents this contention of the prosecution is without any merit.

Regarding the letter to the Secret State Police Halle of 25 November 1938, it has to be stated that in the first place Dr. OLLENDORFF had communicated to a Reich Agency, namely the Reich Office for Economic Development his emigration plans of which fact the Reich Office for Economic Development had informed me.

The fact that a Reich office, namely an agency with an official character and official authority knew about Dr. OLLENDORFF's emigration plans, placed me into an awkward position. I had already various difficulties with Party agencies, due to the fact that I kept a lot of Jewish co-workers inspite of the Party's objections and that I had helped them to build up a new existence abroad; in this

(page 3 of original)

connection I want to refer to the GAJEWSKI documents 1 - 12, exhibits 1 - 12. The Party agencies emphatically pointed out to me that these Jews know a great deal about manufacturing secrets and that their emigration would be considered a great danger. This fact was of particularly great importance in Dr. OLLENDORFF's case, since he had been member of the Vorstand and manager of the entire film factory and had all the accumulated experience of the Agfa. Therefore he had to be considered a man who knew the most important production secrets. After having had a lot of difficulties because of my Jewish co-workers who by far did not have the knowledge and the position of Dr. OLLENDORFF, I was afraid that just in the OLLENDORFF case the greatest difficulties would arise, if he would emigrate, taking along documents regarding production processes and secrets. Considering all these facts I saw no other possibility but to have his house searched by the police in order to find out whether Dr. OLLENDORFF was in possession of such documents, since in the interest of the firm I could not risk Dr. OLLENDORFF's going abroad and taking these documents along. My letter of 25 November 1938 only served this purpose, as it can clearly be seen by its wording.

(page 4 of original)

The house search showed that Dr. OLLENDORFF was not in possession of any important documents concerning production secrets of our firm. Consequently I took the occasion to and I also was in the position to inform the Secret State Police that there were no objections against Dr. OLLENDORFF's emigration on our part and that we were in favor of it. That happened immediately after the result of the house search had been become known.

When the letter to the Secret State Police in Halle of 25 November 1938 was put before me in the witness-box, I in haste overlooked the handwritten remark on this letter, I quote: "See also letter to Gestapo of 19 December 1938" -- end of quotation. After having subsequently been informed about this remark, I want to state that, according to my memory and to the best of my knowledge, this remark referred to the very letter by which the Gestapo obtained the information mentioned above, namely that according to our opinion there were no objections whatsoever against Dr. OLLENDORFF's emigration.

Thus I thought that the OLLENDORFF case had been settled, as far as our attitude to his emigration plans was concerned. The more I was surprised when of 1 February 1939 Frau OLLENDORFF called on me and informed me --, as it can be seen from the file-note on 1 February 1939 -- that Herr OLLENDORFF when fetching his identity card had been arrested by the Secret State Police in the Police Presidium in Berlin on 31 January 1939.

GAJEWSKI NO. 88

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Consequently I left no stone unturned to obtain his release and even called on the Secret State Police twice in person. The passing on of Frau OLLENDORFF's letter of 7 February 1939 addressed to me, to the Gestapo in Halle (see handwritten note on this letter) served the same purpose.

Regarding the further development of this matter the documents speak for themselves.

Nuernberg, 28 April 1948.

(signed) Dr. Fritz GAJEWSKI _ _ _

DR. FRITZ GAJEWSKI

I, Carl WEYER, Assistant Defense Counsel at the American Military Tribunal in Nuernberg (case VI), herewith certify and confirm the above signature of Dr. Fritz GAJEWSKI, at present in Nuernberg, which has been affixed before me.

Nuernberg, 28 April 1948.

(signed) Carl WEYER _ _ _

CARL WEYER

CERTIFICATE OF TRANSLATION

30 April 1948

Yo. J. WEINMANN, Civ., ETO-35 270, E.H. REDELSTEIN, Civ.,
I-046 289, Th. KLEIN, Civ., AGO D-150 307, E. OETTINGER, Civ.,
AGO A-444 369, and G. LAUENER, Civ., ETO-20 123 hereby certify
that we are truly appointed translators for the German and
English languages and that the above is a true and correct
copy of Doc. Book 5 GABEKSKI.

J. WEINMANN,
Civ., ETO 35 270, P. 1 - 4, 31 - 35

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Case 6
Defense

TRIBUNAL VI
Case VI

S u p p l e m e n t
to
DOCUMENT BOOK V
FOR

Dr. Fritz Gajewski
(Gajewski Document 85)

Submitted by Defense Counsel
Dr. Wolfram von Metzler
Attorney.

Aug



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85

Affidavit deposed by Lieselotte Gajewski. The witness confirms that she made the photostat of the article from the "British Journal of Photography, Volume CXXXXIII, No. 4513 of 1 November 1946 which is added to her affidavit herself, from the original document. The enclosed article contains an official report of the C.I.O.S. which states, verbatim:

"C.I.O.S. Official report on Agfa Film Factory. "Research for wartime needs was unknown, in the sense in which we understand it in England and close contact with Government Research Organizations does not appear to have existed ... Agfa research workers appeared to be quite unfamiliar with the problems of air photography."

The report goes on to say that, as Professor Eggert and many of his research staff were in bad odour on account of their known anti-Nazi-views, the company was subjected to considerable inconveniences."

Gajewski Document

CERTIFICATE OF TRANSLATION

21 May 1948

I, Wolfgang HILDESHEIMER, ETO # 20087, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Gajewski Document No. 85.

.....
Wolfgang Hildesheimer
ETO # 20087

AFFIDAVIT

I, Lieselotte Gajewski, born 3 October 1925, now living at Leverkusen-Bayerwerk, v. Boettinger-Strasse 7, have been duly informed that I shall render myself liable to punishment by making a false affidavit.

I herewith make the following statement, in lieu of oath, voluntarily and without duress, to be submitted at the Military Tribunal VI in Nuremberg:

At the end of last year I made a photostatic copy from a foreign newspaper of an article entitled "Research in the German Photographic Industry" (British Journal of Photography, Volume, CXXXIII, No. 4513, of 1 November 1946, Letter to the Editor). The enclosed photostat is a sample of the copies made by me.

I have read the preceding statement carefully and I have signed it in my own handwriting.

I herewith declare in lieu of oath that I have stated the pure truth therein.

Leverkusen-Bayerwerk, 8 May 1948

Lieselotte Gajewski
(Signed): Lieselotte Gajewski)

Signed before me by Miss Lieselotte Gajewski as the affiant.

Dr. Hugo SCHRAMM
(Signed): Dr. Hugo Schramm, Defense Counsel
and Attorney.

Appendix to Affidavit Lieselotte Gajewski

Excerpts from the Article: Research in the German Photographic Industry, printed in British Journal of Photography on 1 November 1946.

C.I.O.S. Official report on Agfa Film Factory.
"Research for war-time needs was unknown, in the sense in which we understand it in England, and close contact with Government Research Organizations does not appear to have existed....
Agfa research workers appeared to be quite unfamiliar with the problems of air photography".

The report goes on to say that, as Professor Eggert and many of his research staff were in bad odour on account of their known anti-Nazi views, the company was subjected to considerable inconveniences - - -
It would appear from the foregoing that the German photographic industry does not fall into line with its contemporaries regarding this matter of research, nor does it appear to enjoy any official assistance in this field.
Yours faithfully,

Hampton Hill, Middlesex.

George H. Sewell

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Case 6
Defense

TRIBUNAL VI

CASE VI

Document Book I

for

Dr. Heinrich GATTINEAU

submitted by

Rudolf ASCHENAUER

Defense Counsel

Aug



Table of Contents to the
Document Book No. I
for Dr. GATTINEAU

Doc. No.:	Exh. No.:	Description of the Document	Page
5		Affidavit by Prof. Dr. Adolf WEEER. The witness confirms that Privy Councillor DUISBERG asked him at the end of 1927 to suggest a secretary to him, who had good economic training and knew his job, but who also had sympathy towards the workers and was completely impartial as far as Party politics were concerned. The witness had suggested GATTINEAU to Privy Councillor DUISBERG, and the former had received the position.	1
7		Affidavit by Prof. Dr. Heinrich KONEN. The witness, who had known Privy Councillor DUISBERG for years, describes DUISBERG's nature and his political views and says among other things: "To me, it is a simply grotesque thought that a man like DUISBERG should ever have liked the ideology, methods and policy of the Nazis." Concerning Dr. GATTINEAU, the witness states among other things: "During the years when I was better acquainted with Dr. GATTINEAU, he advocated the views and policy of his chief warmly and from his innermost conviction."	3
8		Excerpts from the book "Dissertations, Lectures and Speeches from the years 1922 - 1933" by Carl DUISBERG. These brief excerpts from Privy Councillor DUISBERG's own publications and speeches characterize his political and economic views.	8

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Doc. No.:	Exh. No.:	Description of the Document	Page
9		Excerpt from the book "Carl DUISBERG, a German Industrial", published by Dr. HERLE and Dr. GATTINEAU.	15
		This excerpt gives Privy Councillor DUISBERG's opinion on the relationship between politics and economics.	
10		Affidavit by Erwin KRITZER.	17
		The witness, who was office manager for Privy Councillor DUISBERG for 15 years, describes his former chief and says among other things: "I can testify that Privy Councillor DUISBERG always was an opponent of National Socialism and remained one even after the seizure of power until his death." Then he describes in detail the attempts to win DUISBERG for the NSDAP, which always failed.	
SCHMITZ 17		Excerpt from "The Times" dated 27 March 1935 "Dr. Carl DUISBERG" by Professor Henry E. ARMSTRONG.	20
		This obituary for Privy Councillor DUISBERG by an important foreigner, from the year 1935, contains among other things the comment: "It seems that Germany today is thinking of killing the goose, which has laid many a golden egg for it." It ends with: "Our world is in desperate need of men of DUISBERG's type, who use wisdom in their work."	
11		Affidavit by Dr. jur. Kurt Freiherr von LERSNER.	24
		The witness, who was the president of the German peace delegation to Versailles, reports on the political attitude of Privy Councillor Carl BOSCH. Among other things, he cites sayings by BOSCH such as: "To save the youth from the Nazis is still more important than saving science" and "Peace, peace, and peace again is the alpha and omega for us and the whole world."	

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Doc. No.:	Exh. No.:	Description of the Document	Page
12		Affidavit by Dr. Ernst TELSCHOW.	28
		The witness, who was the business managing Vorstand of the Kaiser-wilhelm-Gesellschaft, deals in his affidavit with Privy Councillor BOSCH's personality as president of the Kaiser-wilhelm-Gesellschaft. Among other things, he confirms the fact that Privy Councillor BOSCH, after his speech in the German museum in Munich, was prohibited from making speeches and from appearing in public, that he was a confirmed opponent of war, and that he mistrusted persons who were known as confirmed adherents of National Socialism because he did not understand their thinking processes at all, that he was never interested in the application of new inventions to war-time use but that he considered all economic discoveries from a superior point of view.	
13		Affidavit by Dr. Curt DUISBERG.	31
		As former personal co-worker of Privy Councillor BOSCH, the witness describes the political attitude of his chief. Privy Councillor BOSCH, as member of the so-called Mayrisch-committee to which members of all Parties excluding National Socialists belonged, worked for a German-French rapprochement. "As far as I know, neither Privy Councillor BOSCH nor my father, Privy Councillor DUISBERG, nor anyone else from the Vorstand of the I.G. ever used his influence in order to bring HITLER into power. It was completely alien to the entire policy of the I.G., and especially to its leaders, to become active in these matters."	
SCHMITZ No. 5		Affidavit by Dr. Wilhelm Ferdinand KALLE.	34
		The witness testifies on the personality of Privy Councillor DUISBERG and Privy Councillor BOSCH. In his affidavit, he confirms, among other things, that DUISBERG reproached Dr. LEY severely because of the latter's newspaper attacks against the Jewish members of the Aufsichtsrat, WARBURG and HAGEN,	

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		and that this led to LEY's leaving the I.G.; that he had never heard anything to the effect that the I.G. participated in deals on the part of the economy with HINDENBURG in order to bring HITLER into power. Since the witness was commissioned to deal with political questions in the administrative board, he would have had to learn of such intentions, or at least would have had to be informed of them afterwards.	
SCHMITZ 19		Excerpt from "Adolf HITLER, the Age of Irresponsibility" Biography by Conrad HEIDEN 1935: "Incidentally, the three big industrialists, who may claim the most solid and most powerful achievement of the post-war period, Carl DUISBERG and Karl BOSCH of the I.G. Farben Industry and Karl Friedrich von SIEMENS did not support HITLER but fought him."	46
14		Excerpt from the transcript of the FLICK trial of 21 July 1947, p.m.: interrogation SCHACHT by Dr. DIX (page 4006 of the German transcript). Among other things, SCHACHT says: "Quite a number (of industrialists) firmly opposed (National Socialism). I know this of Karl BOSCH in the I.G."	47
15		Affidavit by Dr. Bernhard DIETRICH. The witness, who has known Dr. GATTINEAU since the twenties, reports extensively on the activity of the so-called HEGEMANN circle, which was known as a liberal club and of which Dr. GATTINEAU also was a member. Further, the witness describes the activity of newspaper offices with big industry firms in general. He goes on to report on Dr. BLOCH, who also belonged to the HEGEMANN circle and thus became acquainted with Dr. GATTINEAU. Among other things he says concerning Dr. GATTINEAU: "Above all I can testify that his entire attitude and all his personal views were free of any political Party ties and were sceptical in regard to National Socialism and rejected it."	48
16		Affidavit by Annelotte BECKER-BERKE.	56

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The witness who worked as secretary in the press office of the I.G. till November 1939 deposes among other things: "The tasks of the office consisted mainly in cultivating relations with the home press in particular by keeping up a personal contact with the respective editorial offices.

No less than for any other big company, this contact was a matter of course also for the I.G. even before 1933, and it was all the more imperative after 1933 as the increasingly predominant Party press was anything but well disposed towards the I.G.

17		Excerpt from the Record Case VI of 14 October 1947, afternoon: Interrogation of Dr. Hermann BAESSLER by Mr. SPRECHER (Page 2054 - 55 German Record)	59
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The witness for the prosecution states among other things: Herr Dr. GATTINEAU was only prokurist and Herr DENCKER only acting manager. I doubt very much, therefore, whether these two gentlemen can be regarded as members of the working committee although they always figure in the minutes."

The excerpt contains, furthermore, the statement of the prosecution to the effect that it does not believe that Dr. GATTINEAU had been member of the working committee of the I.G.

18		Affidavit of Dr. Kurt THISELBERG.	61
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Regarding Dr. GATTINEAU's participation in the working committee the witness deposes: According to the minutes, of the meeting of 18 October 1932, Herr GATTINEAU was invited to attend the meetings of the working committee as guest in his quality of head of the press office."

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Doc.No.	Exh.No.	Description of the Document	Page
19		Excerpt from the minutes of the 72nd meeting of the working committee on 18 October 1932. The above mentioned Document GATTINEAU No. 18 refers to this excerpt.	62
20		Affidavit by Dr. Heinrich GATTINEAU. Dr. GATTINEAU confirms that between 1931 and 1938 he attended the 91st meeting of the working committee (26 April 1935) for the last time, and subsequently did not attend any more meetings of the working committee.	64

Document Book I GATTINEAU

Doc.No.	Exh.No.	Description of the Document	Page
Ilgner No. 82		Affidavit by Dr. Ernst RUPERTI. The witness reports on the activity of the so-called F-circle (circle of friends or HIMMLER-circle): GOEBBELS very soon realized that the mentality of the association he had convoked was too remote from the notions of the Third Reich to be of any use to it.. On the whole, there have been only very few meetings, and they were cut out altogether, if I remember correctly, after the so-called ROEHM-putsch in June 1934. The Ministry of Propaganda and the Party organization abroad even went so far as to brand certain members of the association as politically undesirable. If my memory serves me right none of the business people concerned was a member of the NSDAP at that time."	65
21		Affidavit of Prof.Dr. Werner KNOTHE. Witness describes the activities of the F-circle as far as he knows them and sums up Dr. GATTINEAU's attitude as follows: "He was definitely set against any form of national-socialist propaganda abroad and I am convinced that he was active in this sense in the circle of economic leaders as well."	67
5		Affidavit by Prof. Dr. Heinrich HUNKE. The witness whose last function was that of president of the Advertising Board of the German Economy gives a detailed account of the activities of this body, stating: "The Advertising Board was given the legal form of	69

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an entity under public law. It was an institution called into existence by the Reich ... the responsibility rested with the president of the Advertising Board ... They (the members) had nothing to do with the administration of the Advertising Board. During the War the committees of the Advertising Board hardly ever met ... The Advertising Board had no political tasks to fulfil; political and art exhibitions were not subject to the law concerning commercial advertising. The Foreign Office and the Ministry of Propaganda had explicitly prohibited any political propaganda by the Advertising Board."

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22		Affidavit by Hans RECHENBERG.	73
		As a former official of the Reich Ministry of Economics, the witness describes (the activities) of the Advertising Board. According to his description, these activities were not of a propagandistic nature, but had only to do with advertising. They were dealing with advertising and nothing else. The Advertising Board had no influence whatever on economic-political decisions.	
23		Excerpt from the "Voelkische Beobachter" of 8 November 1939: "What the Advertising Board Wants" by Erwin FINKENZELLER, business manager in the Advertising Board. This article sets forth the unpolitical tasks of the Advertising Board.	75
24		Excerpt from the "Voelkische Beobachter" of 24 November 1933: "The Advertising Board 'Regulates Advertising' by Erwin FINKENZELLER. This article reports on the implementation decrees pursuant to the law concerning commercial advertising. 'The guiding principle in laying down the directives was the intention not to handicap advertising, but, on the contrary, to encourage it to the largest possible extent. The article concludes by explaining technical details of advertising.	80

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25

Excerpt from Reich Law

Gazette, Part I, 1933, No. 99 86
 page 625: Law Concerning Commer-
 cial Advertising, dated 12 Sep-
 tember 1933, page 628; First Imple-
 mentation Decree pursuant to this
 law, dated 14 September 1933 Reich
 Law Gazette, Part I 1933 No. 121
 page 791; 2nd Implementation De-
 cree pursuant to this law dated
 27 October 1933.

These regulations prove that the
 Advertising Board was a legal
 entity under public law and that
 its president was a Reich official,
 furthermore that the Advertising
 Board had the task of paving the
 way for truth in commercial adver-
 tising and to restore confidence in
 the value of advertising in parti-
 cular by seeing to it that the
 advertising rates were adhered to
 (Compliance with the established
 rates) and by suppressing fraudulent
 manoeuvres with circulation figures
 in newspapers, periodicals and
 other publications, "and that,
 furthermore, it had to deal with
 cases of unreliability and perfidy
 in commercial advertising.

Order for making corrections filed after this page.

UNITED STATES MILITARY TRIBUNAL VI
SITTING IN THE PALACE OF JUSTICE, NURNBERG, GERMANY
22 JULY 1948

THE UNITED STATES OF AMERICA :

- vs. - :

CARL KRAUCH, et al., :

Defendants. :

Case No. 6

ORDER

The Prosecution and the Defense have joined in a joint motion to make certain corrections in the official mimeographed copies of the English document books of the Defendants Hoerlein, von Knieriem, Gattineau, Oster and Buergin, and in Defense Document Book DEGESCH I, which said motion is in the nature of a stipulation and is dated 9 July 1948.

The Tribunal hereby approves said stipulation and the corrections contained therein are ordered to be made.

s/ CURTIS G. SHAKE
Presiding Judge

s/ PAUL M. HERBERT
Judge

s/ JAMES MORRIS
Judge

Dated this 22nd day of July 1948

Certified true copy

Barbara Skinner Mandall
Barbara Skinner Mandall
Chief, Court Archives



Certificate.

I assure that all DOCUMENTS contained in this Document Book verbally agree with the DOCUMENTS presented to the Tribunal.

Nuernberg, 24 March 1948.

Rudolf ASCHENAUER

Defense Counsel for the
defendant GATTINEAU.

AFFIDAVIT

I, Dr. Adolf WEBER, a University Professor, Geheimer Regierungsrat, born on 29 December 1876 in Metternich, Rhineland, a resident of Munich, Pienzenauerstrasse 44, have been warned that I shall

render myself liable to punishment if I make a false affidavit.

I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Muenberg, Germany.

Geheimrat DUISBERG, the late eminent Head of the I.G. Farben, widely known and highly valued throughout Germany as the sponsor of students, called on me in late 1927 and requested me to help him in ^{his} ~~quest~~ ^{search} for a secretary who was to advise him in all questions of domestic and foreign economy. This secretary was to be well trained and an expert in economics, but would also have to ^{have a} heart for the workers and must not be burdened by political ties. I then proposed Herr GATTINEAU who was actually appointed to the position. I then have followed Herr GATTINEAU's activities from the distance. I am convinced that he never brought dishonor on his old teacher, for which his positively Christian basic attitude was already a guarantee.

As to me, I am not tainted politically. The Denazification Board has found that I have been persecuted by National Socialism and that I have taken part in the active fight against National Socialism before and after its coming into power.

I carefully read this affidavit, consisting of 1 page, signed it with my own hand, made necessary corrections and confirmed them with my initials.

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Document GATTINEAU No.6
Exp.No.

I herewith declare under oath that all statements which are contained in this affidavit are true and have been made to my best knowledge and belief.

signed: Adolf WEBER

The foregoing signature of Geheimrat Professor Dr.Adolf WEBER was made before me, Dr.Helmut DUERR, Assistant Defense Counsel for Herr GATTINEAU, and is certified herewith.

Munich, 13 February 1948

signed: Dr.Helmut DUERR.

AFFIDAVIT

I, Heinrich Mathias KONEN, born on 16 September 1874, a Roman-Catholic, University Professor, residing in Bad Godesberg, Klosterbergstrasse 72, have been warned that I shall render myself liable to punishment if I make a false affidavit. I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to the Military Tribunal No.VI in the Palace of Justice, Muenberg, Germany.

Herr Dr.Heinrich GATTINEAU, who has been jointly indicted with the members of the Vorstand of the I.G.Farben in Muenberg, requested me for a statement regarding the attitude of the late Geheimrat Professor Dr.DUISBERG toward National Socialism, the ideology of the National Socialists in the field of racial and religious questions and toward the foreign policy as pursued by HITLER. In particular I have been asked to make a statement on whether Herr Geheimrat DUISBERG took an active part in the promotion of the Winter Relief Work after 1933.

As regards these questions, I am able to declare the following to my best knowledge and belief:

I have known the late Geheimrat DUISBERG for many years. When I followed a call as a regular Professor of Physics of the University of Bonn in 1920, Herr DUISBERG was then the chairman of the Vorstand of the dyestuff manufacture of BAYER and Co. in Leverkusen, which later was/ incorporated in the I.G.Farben. Geheimrat DUISBERG, himself a scientist and an economist, took a special interest in the cooperation

between economy and science. He founded the Association of the Friends and Sponsors of the University of Bonn (Geffrub) and was its chairman for many years. I soon was called into the Vorstand of this association and thus came into close contact with Geheimrat DUISBERG. We became friends. I believe that, on the basis of many conversations with respect to the questions in which we were mutually interested, I have better and more exact information than any other persons about Geheimrat DUISBERG's opinion on political, economic and scientific problems.

My friend DUISBERG felt a great love for his fatherland, but he was a level-minded and logically reasoning man. As regards politics, he was basically in favor of the so-called Great Coalition, meaning the cooperation of all parties, from the SPD up to the German People's Party, such a coalition as ruled in Prussia up to 1932. To my face, he frequently said that he considered the Prussian Prime Minister BRAUN as an excellent and prominent man. In the field of foreign policy, he was a sincere adherent of STRESEMANN's and the great successes of the latter gave him much satisfaction. To his workers he was a paternal friend and leader. Nobody valued the beneficial activities of the trade unions more than DUISBERG. This very fact was a frequent subject of our conversations.

On the other hand, the politics which were pursued by the heavy industry, with HUGENBERG, KIRDORF and THYSSEN as the exponents, gave him great concern.

The "Harzburg Front" he described to my face as political puerility. BRUENING's dismissal by Reich President von HINDENBURG, whom he had held in high respect till then, and his replacement with Herr von PAPEN was felt by DUISBERG with extreme dismay. He never took HITLER seriously. It goes without saying that a man with the profound scientific education of DUISBERG regarded the racial theories of the National Socialists and all their other ideologies as ridiculous. I know that from his own mouth. Equally I know from many discussions with him that DUISBERG, interested in religious and clerical questions, being an honorary Doctor of Theology himself, condemned the clerical and Church policy of the National Socialists most severely. This attitude of DUISBERG did not undergo any change even after HITLER's coming into power which caused him the deepest patriotic concern. He was much too intelligent not to see at an early date that all the supposed exterior successes in the first years could never lead to a good end. This deep patriotic apprehension overshadowed the last days of this man who otherwise looked at life with such positive optimism.

I am not in a position to say whether my friend DUISBERG sponsored the Winter Relief Work in particular. If he did, then only for the reason that the top level organizations of the industry, whose chairmanship he unfortunately resigned much too early, were in favor of such an attitude. But I clearly remember that this soft-hearted man

who made countless funds available for voluntary gifts and donations to the poor and needy once, in a conversation with me, condemned to the utmost and with bitter words the so-called "voluntary constraint" as represented by the Winter Relief Work, the Adolf-Hitler-Fund and other services which were extorted from the Industry.

As regards my own person I have been removed from my office and persecuted in the most base manner by the National Socialists. During this time which was not an easy time for me, Geheimrat DUISBERG was one of the very few who kept faith with me and professed their loyalty to me in public. We have remained friends until his death, and the mere idea that a man like DUISBERG should ever have sympathized with the ideology, the methods and the policy of the National Socialists seems utterly absurd to me. In my eyes, such an assertion is a desecration of the memory of this prominent man who has so well deserved of his country.

Herr Dr. Heinrich GATTINEAU was the private secretary of Geheimrat DUISBERG in the years prior to the coming into power. I have come to know him rather intimately during this time. In particular, I had much to do with Dr. GATTINEAU in his capacity of representative of Geheimrat DUISBERG during the time when I held twice the office of Rector of the University of Bonn. I know from hear-say that he once was a member of a volunteer Corps during the times of his being a student. But GATTINEAU was not at all the type of a "man who had fought in a volunteer corps". On the contrary. He always gave me the impression of an open-minded man, mature beyond his years and moderate in his political expressions who, at least during the years when I came to know him more intimately,

Document Book I GATTINEAU
Document GATTINEAU No. 7
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maintained the opinions and the policy of his superior from his inner conviction and with a warm heart. I only rarely saw Dr. GATTINEAU in the years after the coming into power. But I have never formed the opinion, from our conversations, that the former member of a volunteer corps had become a National Socialist, an activist or even a man who favored a war policy.

I carefully read this affidavit consisting of 4 pages, made the necessary corrections and signed them with my initials. I herewith declare upon oath that the facts in this affidavit are true to my best knowledge and belief.

signed: Professor Dr. Heinrich KONEN.

Document Roll No. 188/1948.

This is to certify the signature of University Professor Dr. Heinrich KONEN, Bad Godesberg, in Bad Neuenahr at present, which signature was made before me to-day.

Ahrweiler, 1 March 1948

The Notary:

Dr. jur. Theodor KUETTING.

(Seal):

Dr. jur. Theodor KUETTING.

Notary in Ahrweiler.

ESSAYS

LECTURES AND SPEECHES

FROM THE YEARS

1922 - 1933

of

CARL DUISBERG

Ph.D. / Doctor of Engineering, honorary (Dresden) / M.D. hon.
(Munich) / Doctor of Political Science, honorary (Bonn) / Sc.D.,
hon. (Tuebingen) / LL.D., hon. (Cologne) / Doctor of Agriculture,
hon. (Berlin) / Ph.D. Sc.D., hon. (Heidelberg) / D.D., hon.
(Marburg) / Professor / Privy Councillor / Corresponding Member of
the Prussian Academy of Sciences (Berlin) / Chairman of the Auf-
sichtsrat and Verwaltungsrat of the I.G. Farbenindustrie Aktien-
gesellschaft.

1933

Publishing House Chemie G.m.b.H., Berlin

Popular Meeting of the Chamber of Industry and Commerce at Solingen
on 14 January 1930.

(General-Anzeiger Wiesdorf No. 13/14 of 15 and 17 January 1930)

.....

But I have the unshakable faith in the judgment, the will
and the energy (and the willpower) of our employers and workers
that some day they will tackle this gravest problem of our national
economic development, that they will bridge the gulf which splits,
not only economy, but our whole nation into two camps.

A road leading to this goal may be the promotion of dis-
cussions in the district organizations of the industrial sector of
economy. This, too, is a method of rationalization and, in my
opinion, the most progressive one. As the technical possibilities
appear to be practically exhausted at present,

(page 2 of original)

the solution of the problems of the relationship between all those working in economy is imperative in order to improve the economic situation. Every friction, every wastage which can be avoided is gain for both parties, every success achieved in common action is progress. It takes hard and difficult work to achieve this; whether it can be done in our time I don't know. One thing, however, I would wish for all future:

May this work in the interest of our economy and our people keep clear of phrases and Party dogma, may sober, objective, economic considerations always guide this work and discussions about it.

Popular Meeting of the Association of the Bergische Chambers of Industry and Commerce, held on 11 November 1931 at Solingen.

(according to manuscript)

Page 139:

Gentlemen! In this situation when distress reached its peak it is all the more incomprehensible that the nations, instead of looking for new ways to get together and to complement each other economically in order to reconstruct the world in a joint effort, should suddenly relapse into the usages of economic periods which we prided ourselves on having overcome. Or do you perhaps call it a great feat of civilization if we now have even a barter system as it is practiced by the African Negro tribes? Or do you call it a great achievement of civilization if some

(page 3 of original)

nations start erecting custom barriers upon custom barriers in order to establish an autarchy, impracticable though it may be in most cases, thus depriving the debtor of the only possibility to fulfil his obligations? If these policies are maintained on the present scale for any length of time, the result will be not only the impoverishment, but the ruin of all, even of such nations as may still harbour the illusion of being able to continue in a splendid isolation.

It would appear as if it was not enough yet for Europe to have lost the economic world hegemony. While in other spaces decisions are maturing which may fundamentally change the political and economic structure of our planet, while in the Far East (China, Japan, India, Russia) far more than a billion people are stirring, Europe lapses more and more into a European particularism. I cannot bring myself to believe that the white race which still achieves intellectual record feats should be unable to achieve union in the political and economical sphere. Yet this is bound to happen if the present state of mistrust, economic disorder and political dictatorship continues.

Page 165:

Meeting "Wirtschaft in Not" (critical stage of economy) of
the Bavarian Association of Industrialists in Munich
on 24 March 1931.

The speech appeared in the publication No. 11 of the Bavarian Association of Industrialists (registered society) under the heading "Wirtschaft in Not" (critical stage of economy). An excerpt from this speech appeared in the book "Deutschlands Weg an der Zeitenwende" (Germany's path at the turn of ages) which was published by Dr. Karl HAUSHOFER, University professor, and Dr. Kurt TRAMPLER.

Present time plans and plans for the future
of the German industry.

.....

While our export difficulties which are due to international protectionism had so far to be overcome painfully by trade negotiations on the basis of preferentialism, a new hopeful development in commercial policy seems to open now. From the straits of the national economic area, powerful industrial states as well as agrarian countries in search of new markets look for greater supernational economic areas which in themselves offer some balance for the largest possible share of production, and are able to act outwardly as strong partners of commercial treaties.

.....

In Europe, too, this goal of regional economic areas gradually seems to take shape. For the countries of South-East Europe, such as Yugoslavia, Rumania and Hungary, the outlets has become downright a question of survival. The problem of market for their products they are finding primarily in Germany. What is more natural for these countries than to seek an understanding in the economic field with Germany, the strongest of possible partners?

On the other hand, Germany, together with Austria, is considerably interested in the development of the South-East European market for manufactured goods. Although at present only 4 per cent of our exports go to South-East Europe, there is no doubt that the economic development of this area, which is quite possible already within the next decades, may multiply the capability of absorbing manufactured goods from Germany. From the point of view of commercial policy, any understanding among Germany, Austria and the countries of South-East Europe will ultimately have to take the form of a customs-union since the other German exports must not be endangered by agreements in this particular field. Only the customs-union remains within the framework of the principle of preferentialism which must be maintained at all events.

By this regional economic combination, the European problem may be tackled with the South-East corner as a starting point. Even if we succeed in attaining an acceptable adjustment in the South-East, a final adjustment of the European problem will still require solving the question of an economic understanding with France.

Only a complete economic block from Bordeaux to Sofia will give Europe the economic strength it needs to uphold its importance in the world. For while new economic areas become active all over the world, while a Pan-American, an Indian, a Chinese economic area are in preparation, Europe, as a result of its internal quarrels, is in danger

of losing more and more its importance, the more so since Russia as a powerful economic area has broken out of the European system and England sees ^{her} interests bound up in her overseas empire. Any consolidation and a new prosperity of Europe can only be brought about along the lines as mentioned before. While in the South-East the economic common-sense seems to triumph over political inflexibility, the voices of intelligence and wisdom in the West are still drowned at present by the clamor of chauvinist agitators. The peoples of Central Europe will soon have to make a choice whether they want to build a new future in confident economic collaboration, or whether they wish, in their present state of dissension, to offer alien races and alien powers a welcome weak spot, both in economic and political respects.

Just as in the life of the individual, so in international life the point is to replace favorite views and traditions by the interests of the whole nation. We Germans will have accomplished the most difficult task since the war, when this crisis is overcome. But it is only with a communal sentiment that we shall achieve the new rise, a sentiment which allows the fate of the individual to be put aside and places above everything else the good of the nation.

Only then shall we succeed in achieving a sure and permanent rise if we take the word of our great philosopher FICHTE as a guide:

"There surely can never be again any well-being for us unless every individual among us in his own way behaves and acts as though the happiness of the future generation would solely depend on himself".

A WORD TO BE REMEMBERED

Page 453:

(Sudetendeutscher Studenten-Notopfer-Kalender,
Prague, 1934)

The purpose of academic studies is to learn for life in a national spirit. Nothing else but this should the student have in his mind. It is no good if he allows himself to be diverted from this goal by any activity in other fields, such as, e.g., in that of party politics. If he does, he is sure to learn later, when it may be too late, to his own disadvantage that valuable years of youth and learning are irretrievable lost.

Leverkusen, July 1933.

- - - - -

I certify that the foregoing copy is a literal excerpt from the book "Abhandlungen, Vorträge und Reden aus den Jahren 1922-1933" (Treatises, lectures and speeches from the years 1922-1933) by Carl DUISBERG.

Nuernberg, 24 March 1948

signed: Rudolf ASCHENAUER

Counsel of the defendant GATTINEAU

C A R L D U I S B E R G

A GERMAN INDUSTRIALIST

published

by order of the Reich-Association of
German Industry

by
Dr. Jacob H E R L E and

Dr. Heinrich G A T T I N E A U

Dux-Publishing House

Berlin W 35

Page 99:

The crisis 1930/31

.....

The industry had to realize more and more, that it could not have any permanent success with clear demands, programs and memoranda against the purely party-political attitude and ideas.

DUISBERG took these facts into account. He recommended during the meeting of the central committee of the Reich Association German Industry on 23 May 1930, that the Industrialists take an active part in the political participation, so that the opinion of these men, who were directly responsible for interests of the industry, could carry more weight than hitherto through their personal influence. DUISBERG gave the following reason for his demands:

"today we can observe, how far it was possible for us - with the means at our disposal - , to realize our demands, which for years we had to make and did make in the interest of a healthy and secure industrial development.

*) Meeting of the central committee of the Reich-Association of German Industry of 23 May 1930

(page 2 of original)

Page 100:

..... As always, so now again, it is private enterprise in its entity which, above all, has to suffer from the effects of the mistakes in the financial-political field, for the excesses of social welfare and for the unbelievable squandering and misuses in numerous German communities The controlled organisation and the direction of the fate of our German Reich and its Laender is the duty and task of political leaders. The Industry, if we want to consider it for once as the sum of all individual enterprises, serves the purpose of supplying the members of ^{our} nation with all goods, which it needs for the most possible complete satisfaction of its material demands. In addition however, the industry must supply the means to enable the state to pay its employees and officials and to give all parts of the population the possibility to share in our cultural goods as well as to develop and to increase those cultural goods.

It is the duty of the State, to facilitate the execution of this task of the industry with all the means and powers at its disposal; it is the duty of the industry to complete and carry out this task.

I certify, that the foregoing copy is a true excerpt from the book "Carl DUISBERG, a German Industrialist".

Nuernberg, 24. March 1948.

signed: Rudolf ASCHENAUER.
Defense Counsel for the Defendant
GATTINEAU.

A F F I D A V I T

I, Erwin KRITZER, born 12 June 1885, Baptist, Office Chief, Leverkusen-Miesdorf, Hofmannstrasse 9, have been warned that I render myself liable to punishment, if I make a false affidavit, I declare upon oath, that my statement corresponds to the truth and was made in order to be submitted as evidence to Military Tribunal No. VI in the Courthouse Nuernberg, Germany.

With regard to the political opinion of Herr Geheimrat Professor Dr. C. DUISBERG, I can state the following :

From 1 May 1920 until his death on 19 March 1935, I have worked for Geheimrat DUISBERG as head of the industrial secretariate. In this capacity I dealt with him every day except of course when he was absent, and thus was witness at many discussions which he carried on with other persons, for instance gentlemen of the board of directors of the Farben concerns, that is to say, the I.G. or representatives of the industry. Since Herr Geheimrat DUISBERG was always active in economic - political associations, whereby he came frequently into contact with political questions (for instance as chairman of the Association for the Preservation of the Interests of the Chemical Industry, 1918 - 1924, Chairman of the Reich Association of German Industry, 1925 - 1931, Chairman of the Chamber of Industry and Commerce at Solingen, 1918 - 1933, member of the Vorstand of the German Conference of Industrialists, of the Union of the German workers - associations, chairman of the administrative committee (Verwaltungsausschuss) of the Kaiser-Wilhelm-Institute for Chemistry, member of the Vorstand of the German Students Work, etc.) I was also informed about his political opinions.

I can declare that Herr Geheimrat DUISBERG had always been an opponent of

(page 2 of original)

National-Socialism and remained its opponent even after the seizure of power until his death. Attempts to win him for National-Socialism were not lacking, but he could not be persuaded by any means, to commit himself to the Party.

So for instance, the later Reichs Minister for Economics FUNK was in Leverkusen in 1931, but Herr Geheimrat DUISBERG did not receive him. Subsequently Dr. SCHMIDT-PAULI, Berlin, tried among others to interest Herr Geheimrat DUISBERG in the Party. In his written reply Herr Geheimrat DUISBERG answered him in these words: "You will experience yourself, what it will mean, if this Party should come to power". (This correspondence was lost during the war.)

He also refused to attend the meeting in the Industry-Club in Duesseldorf on 27 January 1932, on which occasion HITLER was scheduled to speak.

In a letter, which he, as far as I know, wrote to Herr Professor Dr. HAHN, he described it as a misfortune, if German Professors, as for instance Fraulein Professor LISE MEITNER, were to be removed from their positions for the sole reason that they were Jews.

Herr Geheimrat DUISBERG supported very much an understanding with other countries, above all with England. He took a leading part in the discussions which were held in 1926 between English and German economic leaders in Berlin. Another discussion of this kind, whereby among others the then Minister of transport in England, ASHLEY and the best known representatives of the English and German economic life took part, took place in Leverkusen from 11 - 13 June 1927.

I would like to add, that I myself have not been a member of the

(page 3 of original)

NSDAP, nor did I sympathize with it.

I have carefully read this affidavit, consisting of two pages, and have signed it in my own handwriting, have made the necessary corrections and signed them with my initials.

I declare upon oath, that the facts which I have stated in this affidavit correspond to the truth to the best of my knowledge and belief.

Leverkusen, 22 October 1947

signed: Erwin KRITZER.

Article from:

"The Times" - 27 March 1935

Dr. Carl DUISBERG

An Appreciation

Professor Henry E. ARMSTRONG writes: -

By the death of my old friend - I know him almost from the time of his entry into commerce, when the dyestuff industry was just beginning to be of real importance in Germany - his country loses a man who, all things considered, I believe, may be regarded as the greatest industrialist the world has yet had. He combined in himself so many qualities: such rare genius, such diverse activities, so broad a knowledge and experience, such unusual organizing and constructive ability, such mental and personal activity, he so grew in culture and wisdom with years. A very Gascon in his young days with boundless conceit, as he grew older, while retaining his vigour and ever increasing his masterful ascendancy he also developed a wise sense of restraint; watching his opportunity, this enabled him at last to bring the scattered elements of German chemical industry all together into one solid organization, reserving

however, to each unit sufficient individuality to preserve the desirable stimulus of competitive service. He was helped not a little by his great colleague, Henry BOETTINGER, who was born in Barton-on-Trent and did not leave us until he was of age, to enter industry through brewing.

The first task put into DUISBERG's hands went out as a message from a housetop in Barton-on-Trent from Peter GRIESS, through young BOETTINGER, already a member of the Bayer firm, whose father, Peter GRIESS, had followed as chemist to ALLSOOP's Brewery. By carrying out his task successfully DUISBERG not only rescued his firm from near bankruptcy but soon raised it to a level with its great rivals, the Badische Anilin und Soda Fabrik and the Meister, Lucius and Bruening firm. He particularly developed the synthetic drug side and captured the lead in making aspirin by registering this name as a trade mark. The Bayer firm from 1884 onwards, when DUISBERG entered it, probably did more than any other to make the German dyestuff industry a world industry before the late War. BOETTINGER, acting as commercial traveller, cast short of a colour spell upon India and China;

he not only led them to buy, but taught them how to use our modern dyestuffs.

Men who have done these things deserve to be studied in every detail. Let us hope that, at no distant date, we may have an intimate dissection of DUISBERG's multiple career, with as full an analysis as possible of his character and actions. The story will be one to astound diplomatic and men who deal only with words; it should make some understanding possible of the difficulties overcome in the industrial conquests achieved by scientific inquiry. Of course, DUISBERG became a Geheimer Regierungsrat. As an industrialist he also had the unique distinction of being made not only a professor but also an honorary doctor in all faculties, including that of theology. On his seventieth birthday, in September, 1932, the University of Bonn paid him the signal compliment of making him an honorary Senator. On this occasion he spoke out very strongly on behalf of the University Lern- und Lehrfreiheit.

Apparently Germany is now bent upon killing the goose that has laid her so many golden eggs - is even persecuting reason. DUISBERG clearly foresaw this.

Yet she is planning for a future which is impossible without the continuance of his species. Her possible lapse back to barbarism is an event too awful in its consequences to contemplate. Having studied chemistry in the country during nearly three years before the 1870 war, as well as kept in touch with its leaders in the interval, I can appreciate more than most perhaps the astounding changes that have come upon the nation, in mental outlook particularly. A primitive, simple, lovable people, they seem to be becoming one of the most arrogant. We shall do well to face such a threat. Our world to-day is in sorest need of men of the DUISBERG type; who will use wisdom in its service.

A f f i d a v i t .

I, Dr. jur. Kurt Freiherr von L E R S N E R, formerly president of the German peace delegation of Versailles, resident at Nieder Erlenbach near Vilbel/Oberhessen, was warned that I render myself liable to punishment if I make a false affidavit. I declare on oath that my statement is true and was made in order to be submitted as evidence to Military Tribunal No.VI in the Palace of Justice, Nuremberg, Germany.

I became acquainted with the deceased Geheimrat Dr.BOSCH in 1919 at the peace negotiations in Versailles. As president of the peace delegation I naturally came into exceptionally frequent contact with Carl BOSCH during the difficult negotiations which preceded the peace settlement in Versailles and later in Paris. On all occasions Carl BOSCH's absolute love for peace was perceptible; up to fall 1939 when we met for the last time he constantly emphasized towards me his love for peace. Between 1929 and 1939 I had a great many discussions with Carl BOSCH, most frequently without anyone else being present, and I was frequently together with him for several consecutive days. In his generally known, mercilessly open manner he never minced his words and always expressed his views towards me in a way which was to the point. His love for peace - I could almost say his "peace-obsession" - traced its way through all our personal and political discussions like a red thread. Since he knew my views as a peace politician we found ourselves discussing the subject of "world peace" at all opportunities. How often did he not urge me on and

strengthen me during set-backs in the field of foreign policy: "Why don't you go to Paris again and try to establish Franco-German unity!"

We both realized clearly that an honest Franco-German agreement would have been the safest guarantee for peace. That is why he worked incessantly ^{on all Franco-German questions} in connection with which he had been asked to give his advice, and on committees the purpose and aim of which was Franco-German unity. At his request I discussed these questions in Paris with the highest executives of the

signed: LERSNER

- 2 -

French chemical concern KUHLMANN. These French gentlemen told me emphatically (not verbatim, but that was the meaning of what they said): "Herr Carl BOSCH is in every respect one of the greatest men we know. Many years ago we reached a large economic bonafide agreement with the IG-Farbenindustrie, that is to say with Carl BOSCH. If at any time a dispute arose between us and IG-Farben we turned to Carl BOSCH who immediately remedied any difficulty as a totally impartial judge and to the satisfaction of all. His kindness and honesty are as great as his righteousness and his love for peace. As far as the "accord-franco-allemand" is concerned, Carl BOSCH and we executives of KUHLMANN are the best example of how France and Germany should reach unity. We know through long experience that honest Franco-German unity and peace are the political aims of our respected friend BOSCH."

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Document Book I GATTINEAU
Document GATTINEAU No. 11
Exh.No.

Carl BOSCH's attitude toward HITLER and the
National -Socialist Party can perhaps be best recognized
through the shattering criticism which he related to me af-
ter his first meeting with HITLER: "This man HITLER is
nothing, absolutely nothing! It's all a pure fraud!" -

In the course of the following years Carl BOSCH repeatedly told me; "HITLER will ruin us all. I hope that at least he's not so stupid as to start war. In the case of a man who went through the world war as a corporal, one should think that at least he will not bring renewed misery and horror of that nature into the world; but in the case of HITLER one can be prepared for anything!" - The last time we were together, in fall 1939, Carl BOSCH was utterly depressed about the war in spite of all the reports of victories. During these hours he repeated several times: "The war can never be won by Germany, and if HITLER would win, it would be a terrible catastrophe!" -

Further statements which Carl BOSCH very often made to me will throw a characteristic light on his views: "Saving the youth from the Nazis is even more important than saving science!"

The fact that he was always very deeply concerned about science being independent and free from the HITLER party

signed: LERSNER

is probably common knowledge. This aim prompted him to reluctantly accept his honorary positions such as the presidency of the Kaiser-Wilhelm-Association. In connection with this he told me several times: "I am absolutely fed up with the whole Nazi rubbish, but I must carry on, otherwise science will be lost." -

"The persecution of the Jews is an outrage and a disgrace which will revenge itself bitterly!" -

"Peace, peace and once more peace is the alpha and omega for us and for the whole world!" -

I have carefully read through and personally signed this affidavit, consisting of three pages; I have made the necessary corrections and marked them with my initial.

I heroby declare on oath that the facts stated
by me in this affidavit correspond to the whole truth
to the best of my knowledge and conscience.

Vilbel, 27 November 1947.

signed: Freiherr Kurt von LERSNER.

Certificate of Signature

Her Dr. Kurt Freiherr von LERSNER, Nieder-Erlenbach near
Vilbel, who is personally known to me, gave the above
signature with his own hand.

Vilbel, 27 November 1947.

signed: GOENNER, notary.

Stamp: Wilhelm GOENNER
Notary in Vilbel

Document Roll No. 624/1947

Fees

Value: 3000,-- RM

Fee ## 26,39 cost 4,-- RM

Turn-over-tax -.12 RM

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For the computation:

signed: GOENNER, notary.

I, Dr. Ernst TEESCHOW, born on 31 October 1889 in Berlin,
(birth date)
Protestant, chairman of the Kaiser-Wilhelm-Society, Goettingen,
(religion) (profession)
Herzberger Landstrasse 3,
(residence)
have been duly cautioned that I render myself liable to punishment if I make a false statement on oath. I herewith declare on oath that my statement is true and was made in order to be submitted as evidence to Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

I got to know Herr Geheimrat BOSCH more closely in 1937, when he took over the office of president of the Kaiser-Wilhelm-Society. From that time on, I was managing chairman of the Kaiser-Wilhelm-Society and therefore met frequently Herr Geheimrat BOSCH officially. I also made longer trips together with him and believe to have been close to him, as man to man, and to have known him well. Geheimrat BOSCH accepted the office of president somewhat reluctantly, since his activities with I.G. made great demands on him already. Finally, he decided to accept the office though - in my opinion, in order to protect German science and research through his personal influence and to avert any possible interference on the part of the National-Socialist regime. When we two were alone, Geheimrat BOSCH frequently discussed with me political and economic matters. He vehemently rejected National-Socialism and used very strong language when speaking of the regime itself as well as of individual leading personalities. I should like to compare his attitude of rejection with that of his predecessor, Geheimrat PLANCK, whom I have known since 1930.

(page 2 of original)

Due, however, to his different temperament, Geheimrat BOSCH gave vent to his feelings frequently without restraint and even in public, while Geheimrat PLANCK was more above things.

I remember one evening, when Geheimrat BOSCH and I had dinner together at the Europaeische Hof in Heidelberg. During the conversation, he became so temperamental and criticized the National Socialist government so severely and loudly that he attracted the attention of the other people and I had to warn him. I also remember a meeting (I think of the Deutsche Museum in Munich) when Geheimrat BOSCH had to make the official speech and toast HITLER. About 500 people were present, among them leading personalities such as the Gauleiter and others. Many of those present felt that in his speech, Geheimrat BOSCH was criticizing HITLER, and the result was that immediately after the speech the Gauleiter requested Herr BOSCH to stay away from the official dinner to which Geheimrat BOSCH had been invited, as the most prominent personality of industry, by the Gauleiter. On his return to Heidelberg the same day, Geheimrat BOSCH was notified that he had been prohibited from making public speeches and any public appearances.

Geheimrat BOSCH was a convinced opponent of any war; in his opinion war, in every and any case, was crazy and an injustice against humanity.

Sometimes, Geheimrat BOSCH also talked with me about the new inventions of the I.G. He was never interested in their possible use for war; on the contrary, he regarded all scientific discoveries from a much higher level, i.e. from the point of view, how they could be put to the service of mankind. I remember for instance once, when he spoke with great pride

(page 3 of original)

of the discoveries in the field of color-photography, which had been made at WOLFFEN and which meant that one had gotten ahead of the American Kodak - Company.

- 2 -

Geheimrat BOSCH did not think that Germany could win the war, on the other hand, however, he believed that under the existing circumstances it was impossible to offer resistance to the orders of the Reich government.

His spiritual rejection of National Socialism, his condemnation of war and the knowledge of being powerless in the face of the development of things, frequently brought about a deep mental depression of Geheimrat BOSCH, when he lost his faith in the world's reason and humaneness.

Concerning welfare problems of the employees of the Kaiser-Wilhelm-Society, I always met with full understanding and great helpfulness on the part of Geheimrat BOSCH. It did not matter to him whether superior or subordinate employees were concerned, all could be sure of his interest. As to the selection of our leading scientists, he was of the opinion that of course they should be highly qualified in their field of science, but besides, a decent character was necessary. When judging a person, he attached especial value to the human factors. Persons, known to be ardent followers of National Socialism, he treated with mistrust, for their way of thinking was absolutely incomprehensible to him.

I have always admired Herr Geheimrat BOSCH as a genius of universal knowledge and as a man of great kindness and integrity.

signed: Dr. Ernst TELSCHOW.

(page 3 of original, cont'd.)

No. 319 of the Document Roll for. 1947

I hereby attest and certify to the above signature executed before
me of Herr Dr. Ernst TELSCHOW.

Goettingen, 14 October 1947.

signed: Dr. Heinrich BARSDORF

Notary

Seal: Dr. Heinrich BARSDORF,

Notary in the district of the Oberlandesgericht Celle,
Goettingen.

Affidavit

I, Dr. Gurt DUISBERG, born on 29 March 1898, Protestant, residence: Grussendorf, district of Gifhorn, have been duly cautioned that I render myself liable to punishment if I make a false statement on oath. I herewith declare on oath that my statement is true and was made in order to be submitted as evidence to Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

From 1 December 1924 until 1 September 1936, I was chief of the department I.G. - General, Ludwigshafen. When on 1 May 1931, the department was moved to Frankfurt/Main, the name was changed to "Z.A. - Buero". At the same time, I was personal secretary of Herr Geheimrat BOSCH for I.G. - and other business matters. During this activity, I was in constant touch with Herr Geheimrat BOSCH and can state the following concerning his political attitude towards HITLER and the National Socialist Party:

According to his political attitude, Herr Geheimrat BOSCH was an ardent democrat; yet he was never tied to any political party, as far as I know. He, who was first of all scientist and economist, was removed from any party-policy. The lack of intellect in the Party and its intolerance towards the racial question divided him from the NSDAP and HITLER. He was an ardent opponent of strong political influence on science and university-life. He vehemently rejected the imposing by the state of conditions and restrictions on science and its sphere of work. Again and again, he condemned in public and in private, the removal of university professors from their positions because of their political attitude or their Jewish descent. With all his influence, he tried to have important scientists of German research remain in Germany, and he warned of the enormous disadvantages which were bound to result from this one-sided policy pursued in this field by the state-leadership.

(page 2 of original)

He himself was extremely tolerant where religion and race were concerned, and he would never have thought to inquire after the religion or conviction of a person doing a first class job in his field.

Of the attitude of Geheimrat BOSCH towards German foreign policy, I know that he supported emphatically the Peace Policy of STRESEMANN, and that he repeatedly came out for a Franco-German rapprochement. The following persons belonged to the circle of persons which BOSCH consulted in general questions:

Herr von LERSNER, Professor HUMMEL (Democrat, former state president of Baden), Herr von SIMSON and Dr. KALLE, German People's Party (Deutsche Volkspartei), Clemens LAMERS (Center) and Professor FLECHTHEIM.

Neither Herr Geheimrat BOSCH, nor my father, Herr Geheimrat DUISBERG, nor any other personality of the I.G. Vorstand, ever exerted, as far as I know, their influence to get HITLER into office. It was quite out of line with the tendency of the I.G. and especially of the leading personalities to become active in these matters. Besides, in 1932 the aims of the NSDAP were so extreme that the aforementioned gentlemen in particular, in promoting such a party, feared only difficulties and conflicts which they were endeavoring to avoid in the interest of their firm.

signed: Dr. Curt DUISBERG

I have carefully read through this affidavit, consisting of two pages, and I have signed it. I have made corrections where necessary and signed them with my initials.

I declare on oath that the facts stated by me in this affidavit are true according to my best knowledge and belief.

(page 3 of original)

Grussendorf, 25 September 1947

signed: Dr. Curt DUISBERG

I, Dr. Helmut DUERR, assistant defense counsel for the defendant
GATTINEAU, hereby certify the above signature of Herr Dr. Curt
DUISBERG.

Grussendorf, 25 September 1947

signed: Dr. Helmut DUERR

I, Dr. Wilhelm Ferdinand KILLE, 77 years of age, residing at Tutzing on the Starnberger See, Hauptstrasse 27, am aware of the fact that I render myself liable to punishment by making a false affidavit.

I declare upon oath that my answers to the following questions were made according to the best of my knowledge and belief, and were given to be submitted as evidence to the Military Tribunal in the Palace of Justice, Nuernberg.

I was a member of the I.G. Aufsichtsrat from the foundation of I.G. Farbenindustrie A.G. until May 1945, and was deputy chairman from 1938 until 1945. At the same time I was a member of the Verwaltungsrat from 1926 until the middle of 1938.

1.) Can you give an opinion on Geheimrat DUISBERG's general political attitude?

Answer:

As I was a close friend of DUISBERG, and was together with him a great deal, I believe I am well informed about his political attitude.

2.) Is it correct, that he avoided taking a stand on party politics on principle?

Answer:

It is correct that he avoided joining a political party, as he wished to appear politically neutral, as far as party politics were concerned, on account of his work as president of the Reich Association of German Industry (Reichsverband der Deutschen Industrie) and his other positions in our economy.

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3.) What would you say were his political convictions?

Answer:

His views largely agreed with mine, which can already be seen from the fact that it was upon his instigation in the Verwaltungsrat that the special task of representing the I.G. in political matters was given to me. He approved of my political attitude, so that one may say he was politically in favor of the Deutsche Volkspartei (German People's Party).

4.) What was his attitude towards BRUENING?

Answer:

He always talked of BRUENING with great esteem, and always backed his policy, especially also in his capacity as President of the Reich Association of German Industry. I remember, for instance, that he tried to gather support for BRUENING's policy through a circular of the Reich Association of German Industry, which the Association sent to its members in August 1930, and for which he was responsible.

5.) What was DUISBERG's attitude towards STRESEMANN's policy of reconciliation and to the idea of a Franco-German understanding?

Answer:

DUISBERG was an outspoken adherent of the Locarno policy of Gustav STRESEMANN and of a Franco-German understanding. Characteristic of this is the stand taken by the Reich Association, headed by DUISBERG,

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for the implementation of the Young Plan, which the extreme Right opposed bitterly, as we know. The assignment of the Reich Association's secretarial Praesidium member, Geheimrat KASTL, to the important preliminary negotiations in Paris, and the fact that he was not recalled on SCHACHT's resignation, prove this.

6.) Did DUISBERG ever comment on HUGENBERG and THYSSEN in your presence?

Answer:

DUISBERG frequently strongly criticized HUGENBERG and Fritz THYSSEN. I remember particularly one Vorstand meeting of the Reich Association of German Industry, where Fritz THYSSEN, having delivered a speech against Reich Chancellor BRUENING, was backed by not more than roughly 10 people out of 120 present, after DUISBERG had expressed strong criticism of THYSSEN's speech.

7.) Did DUISBERG ever say anything to you about HITLER?

Answer:

DUISBERG also frequently made derogatory remarks about HITLER and his methods.

8.) Do you remember whether DUISBERG participated in the meeting at the "Industrieclub" in Duesseldorf in 1931, which had been called by THYSSEN, and at which HITLER made a speech?

Answer:

I do not remember whether this was the case. However, I certainly think that he did not participate,

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as the whole tendency did not appeal to him. I also remember that he voiced criticism of old KIRDORF's attitude and his support of the NSDAP.

9.) Were the personal relations between DUISBERG on the one hand and THYSSEN and KIRDORF on the other strained on account of DUISBERG's rejection of the Deutschnationalen Volkspartei and the National Socialist Party?

Answer:

I believe their relations had cooled off greatly.

10.) What was DUISBERG's attitude on questions of race and religion?

Answer:

His attitude was one of religious tolerance; he never made antisemitic remarks or engaged in such activities, especially since he was personally on absolutely friendly terms with the Jews in our own circles.

11.) Can you remember that in 1930/31, DUISBERG was instrumental in effecting Robert LEY's dismissal from the services of I.G. Leverkusen, because the latter had attacked the Jewish Aufsichtsrat members WARBURG and Louis HAGEN?

Answer:

I know that the then chemist in Leverkusen, Dr. LEY, was severely reprimanded by Director KREKELER, acting on behalf of the management and hence also on behalf of DUISBERG, for his press attacks against Louis HAGEN and Max WARBURG, which led to Dr. LEY's resignation.

(page 5 of original)

Dr. LEY was then working as a journalist with West-deutsche Beobachter in Cologne, and was to a great extent financially independent as Dr. KREKELER told me afterwards.

12.) Do you know whether DUISBERG offered his services for HINDENBURG's election committee during the 1932 Reich-Presidential elections?

Answer:

I believe I remember with certainty that DUISBERG did so. At any rate, he energetically backed HINDENBURG's re-election. So also did the I.G. Verwaltungsrat in which DUISBERG played a leading role, and after a discussion with Reich Chancellor BRUENING they decided to make a very substantial contribution to the election fund.

13.) What is your opinion on Geheimrat BOSCH's personality?

Answer:

To me, as to the overwhelming majority of all persons working for the I.G., Carl BOSCH was an outstanding personality, both as regards to his character, and as an industrial leader who looked ahead and who thought in terms of international economy, but also because of his distinguished work as a chemist and physicist, and his great successes, particularly in the field of high pressure synthesis. One may safely say that everywhere in the I.G., he was esteemed and admired as the eminent intellectual leader of whom everyone was proud.

(page 6 of original)

14.) How are Geheimrat BOSCH's relations with SCHMITZ?

Answer:

BOSCH's relations with SCHMITZ were good and friendly. BOSCH appreciated SCHMITZ's financial comprehension, and his gift of financial organization. In this respect he always had a valuable assistant in SCHMITZ when solving his technical problems.

15.) What have you to say to the statement that SCHMITZ had forced out BOSCH?

Answer:

In my opinion it is absolutely impossible that SCHMITZ ever entertained the idea of forcing out BOSCH. The nature of their personal relations alone would have ruled out that possibility.

16.) What was BOSCH's political attitude?

Answer:

By his very disposition, BOSCH was a true South-German democrat, to whom international cooperation based on mutual understanding was the ultimate goal. He was a member of the Democratic Party.

17.) Of whom was his circle of advisers composed?

Answer:

In political matters BOSCH often consulted with Professor Dr. HUMMEL, the former State President of Baden (Democrat), also with me, the decided STRESE-MANN follower (Deutsche Volkspartei), probably also

{page 7 of original}

with Geheimrat BUECHER, head of the AEG, who, for a time, also worked for the I.G. as BOSCH's economic adviser. Furthermore, BOSCH frequently discussed political questions with Herr von LERSNER, Herr von SIMSON, Clemens LAMMERS (a former Centrum politician), and Professor FLECHTHEIM.

18.) Did BOSCH do anything to bring about a Franco-German understanding?

Answer:

BOSCH was very interested in a Franco-German understanding and supported the foreign political cooperation of STRESEMANN-BRIAND. Furthermore, he was interested in the Pan-European Movement of Count Coudenhove and took steps to see that the I.G. participated financially in a committee of economists in support of this movement.

19.) Do you remember that, it may have been in the years of 1933 and 1935, BOSCH saw HITLER twice, in order to speak on behalf of the Jewish scientists; and do you know anything of the outcome of these discussions?

Answer:

I do not remember the outcome of these discussions. In a general way I heard repeatedly that HITLER did not like BOSCH.

(page 8 of original)

20.) What was BOSCH's attitude in regard to questions of race and religion?

Answer:

In questions of religion BOSCH was very tolerant and not very active. In the strict negation of the National Socialist type of antisemitism, BOSCH was absolutely in agreement with all the members of the Aufsichtsrat. Proof of this is the fact that he repeatedly made strenuous endeavors to speak on behalf of non-aryan scientists with the Minister for Ecclesiastical Affairs and Education, RUST.

21.) Do you know of any of BOSCH's remarks about HITLER?

Answer:

During private conversations BOSCH always passed critical and negative remarks about HITLER, whenever the opportunity arose.

22.) What was BOSCH's attitude towards HUGENBERG?

Answer:

BOSCH was an outspoken opponent of HUGENBERG. He always approved of the attitude of the "Frankfurter Nachrichten" towards the Harzburg Front and HUGENBERG.

23.) Did BOSCH take steps to have the Frankfurt newspaper supported?

Answer:

BOSCH always spoke for the support of the Frankfurt newspaper and, at his suggestion, very considerable amounts were spent by the I.G. for the Frankfurt newspaper.

(page 9 of original)

However, I can no longer state exact amounts.

24.) Did the I.G. Farbenindustrie support any other newspaper?

Answer:

At my suggestion the I.G. spent considerable sums in order to place a newspaper at STRESEMANN's disposal as a mouthpiece for his political ideas. The sums probably amounted to several hundred thousand Reichsmarks.

In 1933, when difficulties arose for the non-National Socialist press, the I.G., at my suggestion, again spent sums totalling several hundred thousand Reichsmarks, in order to support the "Frankfurter Nachrichten" which was closely connected with the German People's Party (Deutsche Volkspartei).

25.) Do you know whether the I.G. participated in representations made by the Industry to HINDENBURG with the object of bringing HITLER to power?

Answer:

I never heard anything of the I.G. participating in representations made by the Industry to HINDENBURG in order to bring HITLER to power. Since I was entrusted to deal with political questions in the Verwaltungsrat, I should have learned of such intentions beforehand or at least should have been informed afterwards.

26.) The great/^{German} industrialists - including I.G. Farbenindustrie -

(page 10 of original)

are blamed for having essentially supported Chauvinism and militarism after World War I, and for this purpose having helped in the formation of the National Socialist Party. What is your opinion?

Answer:

In the case of the I.G. Farbenindustrie this accusation does not hold good.

27.) What were the tasks of the so-called KALLE-circle?

Answer:

The task of the so-called KALLE-circle was to hold discussions in advance on general political and economic policy questions, and on the attitude to be taken by the I.G. towards them, in order to create a basis for the measures to be taken by the management of the I.G., i.e. in most cases by myself.

28.) Who were the members of the KALLE-circle?

Answer:

Permanent members were Geheimrat BOSCH, Professor HUMMEL, Clemens LAMMERS, Professor MOLDENHAUER as well as myself. Occasional participants in the discussions were Geheimrat BUECHER, Professor WARMBOLD, Professor FLECHTHEIM. Occasionally gentlemen were requested to hold lectures there. I remember, for instance, that W.v. NOELLENORF addressed us several times on political problems.

(page 11 of original)

29.) What were the tasks of the social-political committee?

Answer:

In this circle general social-political questions were discussed, as well as special problems of social welfare of the I.G. employees. The object of these discussions was the bridging of the social contrasts and the improvement and mitigation of the social problems of the workers.

30.) How was the social political committee composed?

Answer:

It consisted of the members of the KALLE-circle, as well as of Herr DUISBERG and Herr HASSLACHER. Furthermore Ernst SCHWARZ took part in the meetings as representative of the Vorstand, on behalf of BOSCH.

31.) Up to what time did you take the minutes of the Verwaltungsrat meetings?

Answer:

As far as I remember, up to the end of 1932.

32.) Who was responsible for the taking of minutes of the Verwaltungsrat meeting after you?

Answer:

Herr von SIMSON was responsible for taking the minutes as from the beginning of 1933.

33.) Do you still possess any minutes of the meetings of the Verwaltungsrat?

Document Book I GATTINEAU
Document GATTINEAU No.
Exh. No.
(SCHLITZ Document No. 5)

(page 12 of original)

Answer:

No; when the Verwaltungsrat was dissolved in 1938 they were destroyed in accordance with a resolution of the Verwaltungsrat, because these minutes contained many observations regarding personnel matters of a political nature and amongst others also referred to such gentlemen, who had in the meantime been appointed members of the Vorstand or had been placed in other leading positions. Exclusively for this reason we considered it expedient to destroy all minutes of the meetings of the Verwaltungsrat.

signed: Dr.W.F. KALLE
Dr.W.F. KALLE

I hereby certify and attest the above signature of Dr. Wilhelm Ferdinand KALLE, resident of Tutzing at the Starnberger See, Hauptstrasse 27, affixed before me, Hanns GIERLICH, deputy defence counsel at the Nuernberg Military Tribunal.

Tutzing, 4 October 1947

signed: Hanns GIERLICH

Document Book I. GATTINEAU
Document GATTINEAU No.
Exh. No.
(Document SCHMITZ No. 19)

Excerpts from "Adolf HITLER, The Era of Irresponsibility",
A Biography, by Konrad HEIDEN, Europaverlag, Zuerich, 1935.

Page 313:

..... The three big industrialists, by the way, who can boast
of the most solid and powerful accomplishments of the post war
era, Carl DUISBERG and Carl BOSCH of the IG and Carl Friedrich
von SIEMENS, the head of the combine with the same name, did
not support HITLER, but rather opposed him."

I certify that the above copy of an excerpt from the book
"Adolf HITLER, The Era of Irresponsibility" corresponds to the
original.

Nuernberg, 11 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel

Direct examination of

Dr. Hjalmar SCHACHT

by Dr. DIX

Excerpt from the transcript of the Military Tribunal No. VI,
Case V, of 21 July 1947, session from 13:30 until 16:30 hours.

Page 4048:

A: There were a number of them. For example, I know of SPRING-
BORUM, that he, too, was very much an opponent of National
Socialism. I also know the name of Karl Friedrich von SIEMENS
in the electrical industry. I know it also of Karl BOSCH of
I.G. Farben; there were a number of men who had that view.
Pro-Nazi: In the whole of industry there was really not one with
the temporary exception of THYSSEN, KIRDORF, and perhaps his
son-in-law or nephew, KAUERT, but otherwise I do not know
anybody who was pro-Nazi -- among them perhaps HECKER of
Ilseeder-Huette.

I certify that the foregoing document is a literal excerpt
from the transcript of the Military Tribunal No. VI, Case V,
of the 21 July 1947.

Nuernberg, 24 March 1948.

signed: Rudolf ASCHENAUER

Defense Counsel for the Defendant GATTINEAU

Affidavit

I, Dr. ^Bernhard D I E T R I C H, born on 22 October 1890 at Flauen, Vogtland, Protestant, political economist, Berlin-Frohnau, Bieselheideweg 19, after having been duly cautioned that I render myself liable to punishment, if I make a false affidavit, state upon oath that my statement corresponds to the truth and that it was made in order to be submitted as evidence to the Military Tribunal VI in the Palace of Justice in Nuernberg, Germany.

In the course of the past 20 years I have met Dr. Heinrich GATTINEAU three times:

1. at the end of the nineteen-twenties in the Ruhr district,
2. from 1932 until the outbreak of the war in Berlin in the so-called HEGEMANN-circle
3. during the war in Berlin and Bratislava.

I met him at the end of the nineteen-twenties in the Ruhr district, when he was still the personal secretary of Dr. DUISBERG there, the former chairman of the Vorstand of the I.G. Farben Industry. I myself at that time occupied the position of chief editor of the economic newspaper "Ruhr und Rhein", a combined organ of the chambers of commerce of the Ruhr and of the so-called LANGHAM-Society, and in my capacity as editor kept in contact with Dr. HAHN, the trade politician of the LANGHAM-Society, Dr. BLANK, the former personal secretary of the Paul REUSCH-Gutchoffnungshuette and with Dr. GATTINEAU. Out of this developed an acquaintance which exceeded the contact deriving from purely journalistic work, which was so much the more valuable to me and the other persons from the Ruhr district, because differences existed in the basic attitude of the representatives

of the coal, iron and steel branches from the Ruhr district and the corresponding people from the chemistry branch and especially from I.G.-Farben, differences which can best^{be} described by referring to the former party political attitude. The representatives from the Ruhr ranged from the liberal conception of STRISMAN's German People's Party more to the right of the more conservative conception of the German National People's Party. The conception of the chemists and especially of the well-known representatives of the I.G.-Farben ranged from the liberal conception of the STRISMAN-tendency more to the left to the German State Party or democrats. GATTINEAU, a frank, open-hearted, gay, and sometimes even a little jovial person of a Bavarian-drastring nature, was well capable of exerting unifying and conciliatory influence on these rather different conceptions.

This frank, open-hearted nature of GATTINEAU's which was also capable and willing to consider opinions diverging from his own enabled him later on in Berlin as chief of the office for ~~political~~ economic policy and of the press department of the I.G. Farben to treat especially with journalists of the most different viewpoints.

The same applied to the political activity of the press branch of the industry where the various shades and differences in opinion, which I have tried to describe above by pointing out the different party-political characteristics, could be felt and were of far-reaching influence on the echo which these industry circles found in the press. While the press departments of the coal, iron and steel branches on the Ruhr

and especially the directors of the press offices of single firms and concerns liked to treat the individual press representatives somewhat condescendingly and with a rather emphasized "benevolence", furnishing them on the other hand, if possible, the factual material already in a form which expressed the conception of the industry, and whenever quite surprised, nay, even offended and hurt to a certain degree if the press did not bring these elaborations verbatim, but dared to criticize them, whilst especially the directors of the press departments of the coal, iron and steel branch had certain personal inhibitions against having not only official but also social contact with the commercial editors of the "Frankfurt^{or} Zeitung" or the "Voss'sche Zeitung", or the "Berliner Tagblatt", GATTIFEAU and the gentlemen from the press department of the I.G. Farben always were on excellent terms with the journalists from the center of party politics. It has been asserted again and again on the Ruhr - I cannot find out whether this is true, - that the IG Farben Industry hold a part of the shares in the "Frankfurter Zeitung". Here it is of some importance, of course, that the average German commercial editor believed that he knew just about as much of coal, iron and steel as a professional miner or mining engineer, whereas, on the other hand he was on his guard against entering into technical conversations about questions of organic or inorganic chemistry and details in the field of pharmaceutical or other branches of the I.G. Farben Industry or the chemical industry in general and running the risk of revealing his insufficient knowledge in this field. In spite of this fact, it was in most cases the personal achievement of the press representatives of the industry concerned,

in this case of Dr. GATTINEAU, to guarantee a so-called "good" press on a broad basis for the chemistry and the I.G. Farben by fostering the current liaison to the newspapers and by keeping the press informed about interesting facts in the field of work of his firm and, on the other hand, by keeping up to date the chairman of the I.G. Farben about the latest topics discussed by the press.

The HEGEMANN circle in which I saw Dr. GATTINEAU during my stay in Berlin, originated apart from personal friendship which also played a role, mainly from the actual necessity of gathering a permanent circle of representatives from the press and the industry, who would meet every 8 or 14 days, in order to inform each other and to discuss the different conceptions personally and confidentially. This had nothing whatever to do with National-Socialism. This circle had been formed long before National-Socialism and during the entire time of the National-Socialist era was looked upon as a truly liberalist club, in which circle any personal criticism of National-Socialism could be brought forth and expressed without hesitation. All persons concerned, including Dr. GATTINEAU, always made full use of this. On the part of the journalists Dr. HEGEMANN was a member of the circle as the primus inter pares; formerly he belonged to the telegraph office, later on to the German Information Office, and after several years of the regime he was removed through pressure of the Propaganda Ministry, because a critical statement of his which he expressed in his office,

had been denounced to the Propaganda Ministry by an informer. After that, Dr. HEGEMANN, through my office got a job as the Berlin representative of the great department stores concerns Karstadt, Tietz, etc. and in our circle, in spite of the reprimand of the Propaganda Ministry, remained the primus inter pares. Other press representatives were Dr. WILSCHUH, former Commercial editor of the "Kölnische Zeitung", later on "Deutsche Allgemeine Zeitung". Furthermore, Dr. KNOLL, Berlin representative of the "Kölnische Zeitung", Dr. REUTER, formerly "Kölnische Zeitung", later on "Political Economist". Besides Dr. GATTINEAU, the industry was represented in this circle by Dr. HESLE from the Reich Association of German Industry, Dr. BLANK from the Gutehoffnungshütte and besides that indirectly by the above mentioned Dr. HAHN from the Congress of Central European Economy and Dr. SCHLENKER, formerly Langen Society, Düsseldorf, later on Verkehrs-Kredit-Bank, Berlin; the banks were represented by Dr. FREUNDT of Hardy & Co., and commerce by myself as manager of the branch enterprises. Furthermore, Mr. MEYER from the German Information Office belonged to the circle at least for a number of years as well as Mr. MARIANX, formerly "Kölnische Zeitung", later on representative of the "Kölnische Zeitung" and other newspapers in Paris and Geneva; besides that, Dr. POHL, formerly "Deutsche Allgemeine Zeitung", later on Reich Labor Ministry and Reich Ministry for Economy and only for a short time a Mr. von BESSERER, as far as I know from the German Information Office.

Probably through the good offices of his friend Dr. HAHN, also Dr. BLOCH, belonged to the common circle, who as a re-activated E-officer, entered service again, at first as Major in the OKW, Department Canaris,

Dr. BLOCH, who, as far as I know, had studied political economy, was particularly interested in all purely economical questions and with regard to political conceptions he can be said to have been one of the strongest opponents of National Socialism in our circle. It meant something to him to be able to talk freely in this circle without any official obligations, and to hear the free opinions of the various economic trends. During the war BLOCH officially withdrew from this circle, probably because the watch which the SS kept on his person became gradually closer and closer and because perhaps he considered it inadvisable to be directly identified with this liberalist circle. But also during this time he still maintained personal connections with some members of the circle and, as far as I know, he was put on the retired list in the last or last but one year of the war after a short-term commission as Lieutenant Colonel or Colonel in the rear echelon. There were rumors in connection with this dismissal, that it was impossible to keep him in service because his Aryan descent was doubtful. At any rate, BLOCH belonged to the officers who strictly opposed National Socialism and whose opinion with respect to the starting and carrying out of the war was absolutely sceptical. As customary in the REGENHART circle, the relations between GATTINEAU and BLOCH had primarily the character of a personal friendship with a corresponding mutual confidence, without this circle having the ambition of making the opinions, which were of personal, political and economic nature, the basis of a common action of any kind.

Finally, during the war I then met GATTINEAU on several occasions in his capacity as a member of the Vorstand of the Bratislava Dynamit-Nobel. Among others, I once attended an agricultural meeting which lasted for two or three days and at which he presided as chairman. He always liked to maintain good relations to the press, and, in Bratislava, on the occasion of this meeting, which dealt with the intensification and further development of Slovak agriculture, he obviously extended this liking in the direction of establishing particularly good contacts with scientific circles as well, because, apart from lectures and discussions of a generally economic and economic-political nature, purely scientific lectures followed by a debate, were delivered by the Professors WOERMANN and ROEMER of the University of Halle.

Even on this last though very short occasion of meeting GATTINEAU under completely other conditions, I found that my previous impressions of him were fully confirmed, that he was a liberal, energetic, open-minded man, animated by an economic ambition, with far-reaching intellectual interests, a man of a sure and independent judgment. My long acquaintance and my frequent meetings with GATTINEAU have not given me any reason to suppose that he cooperated in preparing the war in any way whatsoever, and, above all, I can testify to the fact that his entire personal attitude and all his personal conceptions were free of any Party-political ties and that he was sceptical with respect to National-Socialism and rejected it.

I have carefully read through this affidavit, consisting of 5 pages, and signed it with my own hand;

Document Book I GATTINEAU
Document GATTINEAU No.15
Exh.No.....

I made the necessary corrections and signed ^{it} with my initials.

I herewith declare under oath that the facts contained in this affidavit are true to my best knowledge and belief.

signed: Dr. Bernhard DIETRICH.

The foregoing signature of Dr. Bernhard DIETRICH, business-man, Berlin-Frohnau, Bieselheideweg, is certified herewith.

Berlin, 19 February 1948.

signed: Dr. FLAEGHSNER

Notary in the district of the "Kammergericht"

represented by his official deputy:

signed: signature

Notary

(Seal):

Notary in the district
of the "Kammergericht".

No.31 of the 1948 Document Roll.

Specification of costs:

(Sections of Reich Cost Regulations,
as of 25 November 35).

Value 5.000,— RM

1) Fee under sections 144, 39, 26	5.50 RM
2) Sales Tax	0.17 "
	Total 5.67 RM

The Notary Deputy

signed: signature.

AFFIDAVIT

I, Annelotte BECKER-BERKE, nee HASE, born on 17 February 1909, protestant, secretary to a publisher, residing in Stuttgart N, Lenzhalle 56, have been warned that I am liable to punishment if I make a false affidavit. I declare upon oath that my statement is true and that it was made in order to be submitted as evidence to Military Tribunal IV in the Palace of Justice, Nuernberg, Germany.

I have known Dr. GATTINEAU since my joining the Press center of the I.G. Farbenindustrie, Berlin NW 7, of which he was in charge at that time, July 1935. I worked there until November 1939 as secretary to Dr. Hans BRETTNER, who was killed during the war. As far as I recall, the main tasks of the department were to establish friendly relations with the home press, that is with daily papers and periodicals, especially by personal contact with the competent publishers. For the I.G. as well as for any larger industrial enterprise such contact was, already before 1933 and the more so after 1933, a matter of course, especially as after 1933 the all powerful party press was not at all favorably inclined towards the I.G. which is a well known fact. In detail, we dealt with the issuing^{for} the purpose of passing along information concerning finance, final balances, balance sheets etc., also news about the interesting fields of work of individual I.G. firms and inventions connected therewith.

with enlightening the public about articles of production of the Konzern and correcting misstatements made by the press. I remember that the activities of the press center were visibly obstructed during the years I worked there, as the publishers under the influence of the regulations of the Reich Press Chamber, became less and less accessible to I.G. influence.

Contacts were also established with the foreign press, in order to promote the general good will of the firm in the interests of exports, but as exports connections decreased more and more under the regime, these aspirations also were paralysed to an ever increasing degree, so that, when I left the department in 1939 as my boss had been called up, the activities of the press center, now re-named information center, were hardly worth mentioning. Whilst I was working there, by the way, Dr. GATTINEAU relinquished his post as manager of the department. I have read this affidavit consisting of one page, carefully and have signed it myself. I hereby declare upon oath that the statements I have made in the affidavit correspond to the truth to the best of my knowledge and belief.

Stuttgart, 5 March 1948

signed Annelote BECKER-BERKE

The above signature of Mrs. Annelotte BECKER-BERKE,
nee HILSE, secretary in Stuttgart-N, Lenzhalle 66, identi-
fied by identitycard No WB 0731, Heidelberg, made out on
16 August 1946 by the Municipal Passport Office Heidelberg,
is hereby certified.

Stuttgart, 5 March 1948

Notary Hans LUWERTER

Doc. Register No. 110/1948

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minimum fee 2.-RM

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2.05RM

stamp

Hans LUWERTER, Notary, Stuttgart

DIRECT INTERROGATION

of Dr. Hermann BAESSLER by Dr. SPRECHER of 14 October
1947,
afternoon session.

Pages 2054/55 German Transcript.

Page 2054/55:

A: When I made this affidavit, I had to look up all of the records of the working committee meeting^s since 1926, on, and all but the second on from the last were available.

I have now learned that Dr. DENCKER and Dr. GATTINEAU specifically are in the record from 1932 to '35, Dr. GATTINEAU, and DENCKER from '35 to '38, in this book as members of the working committee. I began to wonder about this later on, and I found out on the basis of the regulation for the Vorstand which existed since 1926, only regular and deputy members of the Vorstand can be members of the working committee. Dr. GATTINEAU was only a procurist at that time, and DENCKER was a titular director. I doubt very much whether these two men are to be counted as members of the working committee, although they were always listed in the minutes.

Q: Do you recall that at any request Mr. ACTON talked to you about that matter at the time you were drawing up the affidavit, and we expressed the same doubt?

A: Yes.

(page 2 of original)

Q: And it was at that time your opinion, - excuse me, - and it was at that time your opinion that on the basis of your minutes the gentlemen were members?

A: Yes.

MR. SPRECHER: Your Honor, I just want to make the Prosecution's position clear at this time to say that we do not consider Dr. DENCKER and Dr. GATTINEAU as having been actual members of the working committee of the Farben Vorstand during the period indicated, but merely that as the witness has testified, they were present for one reason or another, during the meeting, during the period indicated in the lists by the witness BAESSLER.

I confirm that above document is a literal excerpt from transcript of Case VI of 14 October 1947.

Nuernberg, 24 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel for Defendant
GATTINEAU.

A F F I D A V I T

I, Dr. Curt DUISBERG, born 29 March 1898, Protestant, residence: Grussendorf, District Gifhorn, having been cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement corresponds to the truth and was made in order to be presented as evidence before the Military Tribunal No. VI in the Palace of Justice Nuernberg, Germany.

From the fall of 1926 until 1938 I was secretary of the work committee of the Vorstand. To the question whether DENCKER, GATTINEAU and ILGNER were members of the work committee I declare as follows:

As shown by the record of the session of 18 October 1932, GATTINEAU, in his capacity as leader of the press office, was called into the meetings of the work committee as a guest. As far as DENCKER and ILGNER are concerned, neither Privy Councillor BOSCH nor Privy Councillor SCHMITZ in their capacities as chairmen of the work committee ever informed me that those gentlemen were appointed to full members of the work committee. Since, however, in later years, both of them attended the meetings regularly, each for his department, I listed them as constant guests, as far as I know later on under the column "of the work committee".

signed: Dr. DUISBERG

I have carefully read through this affidavit, consisting of one page, and have signed it myself; I have made the necessary corrections and have initialed them.

I declare on oath, that the facts in this affidavit correspond to the full truth according to my best knowledge and belief.

Grussendorf, 25 September 1947.

signed: Dr. Curt DUISBERG.

Document Book I GATTINEAU
GATTINEAU Doc. No. 18
Exh. No.

(page 1 of original, cont'd)

I, Dr. Holmut DUERR, Assistant of the defense counsel
for the defendant GATTINEAU, herewith certify the foregoing
signature of Dr. Curt DUISBERG.

Grussendorf, 25 September 1947.

signed: Dr. Holmut DUERR.

EXCERPT from the record of the 72nd session of the work committee
on Tuesday, 18 October 1932, p.m., in the IG Administration
Building Frankfurt on the Main.

Point 1 of the agenda:

Central committee

Ref. BOSCH

.....
e) In future Dr. GATTINEAU will participate in the session of the
work committee.
.....

.....
List of the gentlemen attending the 72nd session of the work
committee on Tuesday, 18 October 1932, p.m. in the I.G. Administra-
tion Building Frankfurt on the Main :

from the administrative
board: (Verwaltungsrat)

from the work
committee:

chairmanship:

Privy Councillor Prof.
Dr. DUISBERG

Privy Councillor
Prof. Dr. BOSCH

Privy Councillor
Dr. HAEUSER

Dr. BUHL

Dr. C.v. WEINBERG

Prof. Dr. BUDEN

Dr. PISTER

Dr. KALLE

Dr. GAJEWSKI

Privy Council-
lor Dr.
SCHMITZ

Dr. MANN

Dr. GAUS

Dr. v. SCHNITZ-
LER

Dr. vom RATH

Prof. Dr. HOERLEIN

Prof. SELCK

Privy Councillor
Dr. SCHUON

Dr. v. KNIEREM

WAIBEL

Dr. v. SIMSON

Dr. KRAUCH

WEBER-ANDREAE

Privy Councillor
Dr. A.v. WEINBERG

Dr. KREKELER

WESKOTT

Dr. KUEHNE

GATTINEAU

Dr. F.ter MEER

MUEHLEN

Secretary: DUISBERG

Document Book I GATTINEAU
GATTINEAU Doc. No. 19
Exh. No.

(page 1 of original, cont'd)

A F F I D A V I T

I, Peter KRONMUELLER, employee of the IG control office in Frankfurt on the Main and leader of the central archive in Frankfurt on the Main Griesheim, residing in Frankfurt on the Main Lersnerstrasse 31, know that I render myself liable to punishment if I make a false affidavit.

(page 2 of original)

I declare on oath that the excerpt from the record of the 72nd session of the work committee of the IG Farben Industry AG on Tuesday, 18 October 1932, on this page corresponds to the document in the records building of the IG control office Frankfurt on the Main-Griesheim.

Frankfurt on the Main-Griesheim, 9 February 1948.

signed: Peter KRONMUELLER

I herewith certify the foregoing signature of Peter KRONMUELLER, residing in Frankfurt on the Main, Lersnerstr. 31, made before me today.

Frankfurt, on the Main, 9 February 1948.

signed: Dr. Walter BACHM.

A F F I D A V I T

I, Dr. Heinrich GATTINEAU, born 6 January 1905, at present in the court prison Nuernberg, having been cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement corresponds to the truth and was made in order to be presented as evidence before the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I looked through the records of the session of the work committee of IG Farben from the 57th session on 9 January 1931 to the 107th session on 7 April 1938 and found that I was present at the following sessions of the work committee:

72nd session on 18 October 1932
73rd session on 12 December 1932
74th session on 26 January 1933
75th session on 3 March 1933
77th session on 27 April 1933
79th session on 18 July 1933
80th session on 3 October 1933
81st session on 10 November 1933
82nd session on 19 December 1933
83rd session on 15 February 1934
84th session on 6 April 1934
85th session on 25 May 1934
86th session on 9 October 1934
87th session on 23 November 1934
89th session on 8 March 1935
90th session on 5 April 1935
91st session on 26 April 1935

As shown by the list of persons present, which is attached to each record of a session, I did not attend any session of the work committee of the I.G. Farben after the last-named 91st session on 26 April 1935.

Document Book I GATTINEAU
GATTINEAU Doc. No. 20
Exh. No.

(page 2 of original)

I herewith declare on oath that this affidavit corresponds to the full truth according to my best knowledge and belief.

Nuernberg, 23 March 1948.

signed: Dr. GATTINEAU

I, Dr. Holmut DUERR, Assistant of the defense counsel for the defendant GATTINEAU, hereby certify the above signature of Dr. GATTINEAU, which was made before me.

Nuernberg, 23 March 1948.

signed: Dr. Holmut DUERR

Affidavit

I, Dr. Ernst-Justus RUPERTI, born on 5 June 1898, residing in Ammerland on the Starnberg lake, now that I am liable to punishment if I make a false affidavit. I declare under oath that my statement corresponds to the truth and was made in order to be submitted as evidence in case 6 to the Military Tribunal in the Palace of Justice, Nuernberg.

Soon after the political change-over of the year 1933 the Minister of Propaganda GOEBBELS desired to discuss certain measures taken by the Third Reich and their effect with gentlemen of the economy who possessed special experiences gained in foreign countries. These discussions were held during occasional meetings in which Dr. Max ILGNER also participated. As far as I remember, the following gentlemen besides Dr. ILGNER participated in these discussions: Generaldirector DIEHN of the Pottassium Syndicate, who was an international merchant of great reputation; Otto Christian FISCHER, a banker with international connections; Dr. Max HAHN, then business manager of the Mitteleuropaeische Wirtschaftstag, who was a declared opponent of the National Socialist ideology and who never attempted to deny this.

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I remember especially well a meeting under the chairmanship of GOEBBELS during which all of the assembled gentlemen opposed the introduction of the swastika flag; they emphasized the grave effect which this change of flag would cause abroad. The severest scruples were voiced by Dr. Max ILGNER, who, on this occasion, also criticized severely the work of the organization abroad of the N.S.D.A.P. which had been started at that time. When Minister GOEBBELS replied to his objections and demanded a faithful optimism to propagate the swastika flag, Dr. ILGNER was not afraid to express openly his scruples with regard to the success and existence of the Third Reich as such.

GOEBBELS was very soon aware of the fact that the mentality of the committee called up by him did not correspond with the ideas of the Third Reich and that therefore it would not be of any use to him. Therefore, a faithful collaboration, an actual entrusting of tasks to this committee or the actual execution of any kind of tasks did never take place.

In general there were only a few meetings which, as far as I remember, were stopped entirely after the so-called ROEHM coup d'etat in June 1934. The Ministry of Propaganda and the organization abroad of the Party took at that time even steps to declare individual members of the

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committee, as for instance the undersigned, as politically unreliable, and thereby made it impossible for them to carry out any activity in international (zwischenstaatlich) economic or cultural associations.

Should there exist a notion that the gentlemen of the economy who at that time participated in the meetings had a tendency towards Nazism, the above description of the committee and its "activity" should be sufficient to invalidate this notion. As far as I remember, none of the gentlemen of the economy who participated was at that time a member of the N.S.D.A.P.

Ammerland, 13 February 1948.

signed: Ernst-Justus RUPERTI

- - - - -

I herewith certify and confirm the above signature of Herr Dr. Ernst-Justus RUPERTI, which was made today before me, Dr. Joachim LINGENBERG.

Ammerland, 13 February 1948

signed: Dr. Joachim LINGENBERG

I certify that this is a complete and correct copy.

Muernberg, 18 March 1948

signed: Rudolf ASCHENAUER

Professor Werner KNOTHE M.D.
Goslar a. Harz
Klausterwall 6

A f f i d a v i t

I, Professor Werner K N O T H E, M.D., born 16 March 1900 at Bremen, Protestant, residing at Klausterwall 6, Goslar, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the full truth and were made to be submitted in evidence to the Military Tribunal VI in the Palace of Justice at Nuernberg, Germany.

At the request of the counsel for defense I make the following dispositions in behalf of Herr Dr. Heinrich GATTINEAU:

I learnt from Herr Dr. GATTINEAU that he had been assigned to collaborate in the circle of economic leaders in the Ministry of Propaganda. Judging by what he told me he regarded it as his main task to prevent Party politics from being carried on abroad, as he was convinced that this could only be detrimental to the export and the reputation of Germany abroad. He repeatedly pointed out to me what harmful effect certain acts of the German home policy had abroad - in particular, for instance, such radical tendencies and violent actions, as the anti-Jewish boycott, etc.. He was definitely set against any form of National-socialist propaganda abroad, and I am convinced that he was active in this sense in the circle of economic leaders as well, making it his task to prevent such mischief. During my association with Herr Dr. GATTINEAU I heard practically nothing but the most severe criticism of everything connected with National-Socialism. At an early stage already he was pessimistic - no doubt

in the first place, because of his knowledge of the extremely clumsy and bad propaganda abroad. I am inclined to think that this attitude was the reason why he was arrested by the Gestapo - I think on 30 June 1934.

I herewith declare on oath that the facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

signed Prof.Dr.Werner KNOTHE

The above signature of Herr Prof.Dr. med.Werner KNOTHE, residing at Klosterwall 6, Goslar, given in the presence of the undersigned Notary-Public Dr. Fritz MATZELT, Goslar/Harz, is herewith certified and attested by me.

Goslar, 29 November 1947. (signed) Dr.Fritz MATZELT

Notary-Public

Seal: Dr. Fritz MATZELT

No 250 of the Document Roll

Notary-Public in Goslar a.H.

--- for 1947 ---

Bill of Expenses:

Value: RM 500.--

Fee as per articles
144, 26, 39 RM 4.--

Sales Tax " 0.10

RM 4.10 (signed) Dr. MATZELT, Notary-Public

A f f i d a v i t

I, Prof. Dr. Heinrich H U N K E, born 8 December 1902, at present in the Courthouse prison at Nuernberg, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the full truth and were made to be submitted in evidence to the Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

From the end of 1935 till beginning of 1939 I was business manager in the Advertising Board of the German Economy and permanent deputy of the president, and from 1939 till the end of the war president of this body.

The Advertising Board of the German Economy was called into existence by the Law concerning commercial advertising of 12 September 1935 which assigned to it the control and promotion of publicity (advertisement, posters, organization of fairs and exhibitions). The economic news service remained with the Foreign Office, the economic-political matters with the Reich Ministry of Economics.

The Advertising Board was given the legal form of an entity under public law. It was an institution of the German Reich. Its directives were published as public announcements, rulings and decisions. The responsibility rested with the president of the Advertising Board. The ministries were represented in a Verwaltungsrat the chairman of which was the state secretary of the Reich Ministry for Public Enlightenment and Propaganda. Advertising Board was controlled by the Reich Minister for Public Enlightenment and Propaganda in conjunction with

the Reich Ministers responsible for the economic policy.

(signed) Dr. Heinrich HUNKE

- 2 -

In order to assure closer cooperation with the economy, members of the Advertising Council were appointed by the Reich Minister for Public Enlightenment and Propaganda in conjunction with the ministers at the head of the respective departments from among the business circles interested in advertising and the advertising agencies (publishers of newspapers and periodicals, billboard advertising companies, fair associations). The wishes and opinions of the economy in regard to the reorganization of advertising and the current problems were discussed with these members of the Advertising Board or with individual members who had been appointed to committees. They had nothing to do with the administration of the Advertising Board. During the War the committees of the Advertising Board hardly ever met.

The work and the office of the Advertising Board were financed through a special advertising tax amounting to 2% of the expenditures for advertisements, posters, fairs and exhibitions.

The tasks of the Advertising Board were as follows: Removal of abuses in the advertising business which had long been singled out and fought as such, organization and carrying out of joint advertising in conjunction with the groups of the economy and publicity for the export of German products. The Advertising Board had made it its task to encourage and promote the private initiative of the individual business man. The fight against

unfair competition and shady methods in advertising led to a close cooperation with associations of other countries, above all with associations of advertising companies in England, U.S.A., Sweden, France and resulted in the establishment of the International Advertising Board with the International Chamber of Commerce in Paris. The advertising for German products abroad was carried out in close cooperation with the foreign Fair companies, Chambers of Commerce and foreign governments.

The Advertising Board had no political tasks to fulfill. Expositions of political and artistic nature were not subject to the law concerning commercial advertising. The Foreign Office and the Ministry of Propaganda had explicitly prohibited any political propaganda through the Advertising Board.

The IG Farben was represented in the Advertising Board of the German Economy by Messrs. GATTINEAU, MANN and von SCHNITZLER. They had been appointed very early, no doubt because their cooperation was particularly appreciated because of their special knowledge. As regards Herr von SCHNITZLER, I know that he became a member of the Advertising Board as chairman of the Fair and Exhibition Committee of the German Economy which was attached to the Reich Group "Industry" Herr MANN was an expert in the field of drug advertising and market analysis.

I have carefully read and countersigned in my own handwriting this affidavit consisting of three pages, I have made and initialled in my own handwriting the necessary corrections and I declare herewith on oath that the facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

Nuernberg, 7 November 1947

(signed) Dr. Heinrich HUNKE

The above signature of Herr Professor Dr. Heinrich HUNKE is certified by me, Dr. Helmut DUERR, assistant of the defense counsel for the defendant GATTINEAU.

Nuernberg, 7 November 1947

(signed) Dr. Helmut DUERR

Affidavit

I, Hans RUCHEBERG, born on 20 September 1910, residing in Bad Toelz, Kyreinstrasse 9, have been warned that I render myself liable to punishment if I make a false affidavit. I declare under oath that my affidavit corresponds to the truth and has been made in order to be submitted in evidence to Military Tribunal VI in the Court House, Guernberg, Germany.

From the beginning of the year 1936 I was in charge of the Referat for Political Economy in the Reich Ministry of Economics; before that time, I had been a Referent in the Prussian Ministry of State. In the course of my duties there I had the opportunity of gaining an insight into the work of the Advertising Council of German economy. The impulse for the foundation of that enterprise had sprung from the activity of the then District Economic Leader (Gauwirtschaftsfuehrer) of the NSDAP, Dr. HUEKE, who had been called into the Reich Propaganda Ministry for that purpose. The tasks of the Advertising Council did not deal with propaganda, but exclusively with advertising. As far as I recall today, the work of the Advertising Council did not consist in advertising for economy, but dealt with the technique of advertising; hence the members occupied themselves exclusively with business advertising.

Personalities from economy and administration were called into the advisory board of that Advertising Council, who received and accepted that calling owing to their position or their field of work. I do not know whether and how frequently sessions of this advisory board were held. According to my knowledge of things,

the activity of the Advertising Council, and hence its own public propaganda, referred to the technique of advertising; the Advertising Council did not have any influence on decisions with regard to political economy.

Nothing is known to me of an advisory board of experts in the Ministry of Propaganda, which is said to have dealt with tasks of political economy. This notion may refer to one of the many bodies which were formed in the first years

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after 1933 which had no practical possibility of any effect or influence and which soon died a natural death. The foundation of such bodies usually was due to the desire to show off and to the activity of single referents; for the selected members of these and other advisory boards, it was not expedient to decline the invitation to accept the mandate.

I have carefully read through this affidavit consisting of one page and have signed it in my own hand; I have made the necessary corrections and have initialled them. I herewith declare under oath that the facts stated by me in this affidavit correspond to the full truth according to my best knowledge and belief.

Bad Toelz, 29 November 1947

signed: Hans RECHENBERG

The above signature of Dr. Hans RECHENBERG is hereby certified by me, Dr. Helmut DUERR, Assistant Defense Counsel of defendant GATTINEAU.

Bad Toelz, 29 November 1947

signed: Dr. Helmut DUERR

Excerpt from the "Voelkische Beobachter", No. 312, Wednesday,
8 November 1933

What does the Advertising Council want?

By Erwin FINKENZELLER, manager at the Advertising Council of
German Economy.

There have been disseminated lately rumours of so absurd a kind concerning the intentions and tasks of the Advertising Council that it has become necessary to outline briefly and in a clear manner the immediate intentions of the Advertising Council. The implementation regulations supplementing the Law of 12 September impose upon the Advertising Council its economic tasks and give it the power to carry them out. However, in order to be able to work effectively for the German political economy, it is important to organize, above all, the means of propaganda and their administration. The Advertising Council of German Economy is not inclined to hamper all those who make economic propaganda according to sound business principles. Quite on the contrary, the main task of the Advertising Council is to further advertising in any conceivable manner, and to point out to the German people as a whole the value and necessity of economic propaganda. The only thing the Advertising Council is going to oppose is abuses of economic propaganda.

In doing this, the Advertising Council will pay special attention to the protection of the German local and landscape sceneries. This

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does by no means imply that the Advertising Council is going to forbid every kind of outdoor advertising. Outdoor advertising as it is being done, with an utmost lack of taste, by many firms, has irritated large sections of the population to such a degree that they now raise the demand, inimical to economy, for elimination of every sort of outdoor advertising. But just as important as the beauty of German local and landscape sceneries, is the maintenance and promotion of working possibilities. The Advertising Council is not going to go from one extreme to another, but will systematically guide outdoor advertising, which is so necessary, along the right way, thus doing justice both to good taste and to the requirements of economy. The Advertising Council will issue detailed regulations concerning the future shaping of outdoor advertising. It would be a mistake to withhold orders until these regulations have been issued because the Advertising Council will naturally provide provisional arrangements for a smooth transformation. It is explicitly stressed once more that according to the Law concerning Economic Propaganda dated 12 September, the Advertising Council is the supervisory agency for the whole propaganda sector. In case some authorities should want to prohibit outdoor advertising, the question should be examined whether they are authorized under the law to do so.

If, in accordance with the Law concerning Economic Propaganda, any economic propaganda may be made in future only by those persons who are in possession of a license issued by the Advertising Council, this does not mean that the Advertising Council now intends to check on every advertisement, every bill, every advertising letter

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and every prospectus, before they are being published. The propagators of such rumours apparently are not aware that such a task could not be mastered at all in practice.

Lest there should be caused even the slightest stagnation, the Advertising Council in its second proclamation has in almost all cases given general or overall permission to advertisers to make economic propaganda. The gist of the Law is contained in the provision granting the Advertising Council the right to withdraw of its own in each individual case any general or overall permission. The permission to make economic propaganda will, of course, again be withdrawn only from those - in this case, however, ruthlessly - who believe that they may continue injuring the reputation of the German economic propaganda by means of fraudulent circulation figures, non-compliance with rates or by other unfair business manipulations. Upon these dubious elements within the German economy, the Advertising Council is going to force decent business principles. There has been an Advertising Protective Association (Reklameschutzverband) for 25 years, and for decades the various associations have negotiated with each other in order to bring about clear and decent conditions. Practice has shown that the course pursued so far did not lead to the goal, and that is why the Advertising Council of German Economy must now interfere by using the severest instrument of power existing within economic propaganda -

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- the cancellation of permission.

But not only in this negative sense will the Advertising Council restore confidence in the value of advertising, but also by positive measures does it intend to facilitate utilization of the means of propaganda and thus introduce many new customers to all those ^{who} place means of propaganda at the disposal of economy. Some very satisfactory announcements of the Advertising Council will appear on this subject in the nearest future. It is pointed out in this connection that it is absolutely devious to allow oneself to be confused by any rumours whatsoever that might emerge anew. He who, as a respectable merchant, makes propaganda in a decent form needs not restrain himself in any way in his dispositions. Every new announcement of the Advertising Council will never prevent advertising but always promote it. Every new announcement of the Advertising Council will hurt only those who believe that they may operate within this important economic branch with unfair methods or any methods detrimental to political economy.

From the second announcement of the Advertising Council it follows furthermore that the tax of 2% is levied not upon the advertiser, nor upon the adviser on publicity, nor upon the advertising broker, but solely and exclusively upon the advertising agency, that is to say from the one who executes the advertising. Every publisher, every bill-board form and every other advertising agency will readily pay this 2%-tax for the amalgamation of publicity; for as a result of the hitherto existing uncontrolled conditions he had to sacrifice considerably higher sums without getting anything in return. The

(page 5 of original)

Advertising Council provides for fair conditions and uses the tax for the promotion of advertising, be that for communal advertising or other propaganda measures important to political economy. Assurance is given in any case that the tax will benefit the payer.

It is, of course, impossible for the Advertising Council to solve the tasks conferred upon it within some few weeks. But it may be expected that all economic circles will cooperate so eagerly in building up German advertising as to establish in this field also the basis for a revival and for new procurement of work.

I certify that the foregoing copy is a literal excerpt from the Voelkische Beobachter of 8 November 1933.

Nuernberg, 24 March 1948

signed: Rudolf ASCHENAUER

Counsel of the Defendant GATTINEAU

Excerpt from:

Voelkischer Beobachter

Friday, 24 November 1933

German Political Economy

The National Advertising Council regulates the advertising business.

By Erich FINKENZELLER, business manager at the National Advertising Council of the German Economy.

On 1 January 1934 the third and fourth announcement of the National Council of German Economy will become effective. The third announcement which, with the exception of directories, will apply to all publications containing advertisements, stipulates additional conditions, under which commercial publicity by means of advertisements is or will be permitted. Whoever therefore carries out after 1 January 1934 commercial advertising by means of advertisements, which means, does advertising, advises, carries out or negotiates advertisements, is bound by law, to observe the regulations of the National Advertising Council, otherwise he will run the risk, of the Advertising Council cancelling his permit for commercial advertising.

It stands to reason, that the National Advertising Council did not issue such sweeping regulations, which re-organize radically the entire advertising-business, without first of all having entered into consultation with the economic circles concerned. The decisive factor concerning the introduction of regulations, was the desire not to put hampering restrictions upon advertising, but on the contrary, to facilitate it as much as possible.

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I.

The wish, the fulfillment of which has been fought for by the entire advertising business, the

STANDARDIZATION OF COLUMN-WIDTH FOR ADVERTISEMENTS

- was realized by the National Advertising Council!

The maze of the 29 rulers, the thousands of discounts and business conditions will also have been settled by the beginning of next year.

The standardization of the column-width for advertisements will be carried out without affecting the character of a publication, its size or its text. The publisher will be able to choose between two kinds of column-width, the 22 Millimeter small-column-width and the 46 Millimeter large column-width. In the future therefore, the making of a single, straight-columned cliché will be sufficient, to insert an advertisement uniformly in any publication, which is not paged exclusively in a specific order.

Whoever had anything to do with advertising, will doubtless realize the immense advantages, which this standardization will bring for the advertisers as well as the publishers, the advertising brokers and last but not least, the cliché-firms. As of 1 Jan 1934 there will be one ruler only, the millimeter-ruler! The discount for repeated publication will be granted uniformly for all publications. Every advertising person knows therefore, that he will receive for instance a discount of 10% for an advertisement which he inserts 12 times. In the case of quantity jobs the Advertising Council has listed four stages of discounts

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A, B, C or D. In the future the discount tariff B will be sufficient for the advertiser to know which quantity discount he will receive from the publisher. Whilst setting up the discount rates, the Advertising Council realized, that the publisher, when fixing the basic price, has to take into consideration the highest discount, demanded of him. The Advertising Council has therefore removed the abuse of the 50-80% discount and has established the maximum discount as low as possible with 20%. It is one of the most important duties of the publisher to make it clear over and over again to the big advertiser that honest, low basic prices will serve his purpose just the same as the "discounts of 50 and 10 and 5% granted as an exception as a gesture of friendship, "which prudently had to be taken into account, when fixing the basic rate.

In the future, however, not only the big advertiser, but also the medium and small advertiser will have the satisfaction of an honest net price.

After due deliberation, every big advertiser will see this point and will even welcome this social measure of the Advertising Council.

To forbid the granting of discounts as a whole, would have been a relapse into another wrong extreme. Nor could the Advertising Council see its way to remove the discount for repeated publication. It is of course unjust to grant a person who rarely advertises, but, when doing so, uses a whole page or half a page, a lower rebate than the other, who even, if inserting an advertisement

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52 times, uses only a fraction of a whole page. The discount for repeated publication, however, is the discount of the small advertiser, who must receive an acknowledgement for his frequent advertising from the publisher. This discount may be a hundred times unjust according to purely capitalistic thinking but it furthers advertising and it is social in the best sense of the word. The removal of this discount would not help the big advertiser.

The discounts with regard to quantities have been fixed by the Advertising Council purposely in that way, that a medium advertiser will also be able to receive the maximum. It is wrong from the commercial point of view to determine the needed number of lines for the maximum discount according to the requirements of the ten biggest advertisers. The maximum discount is not a reward for record achievements of a few big advertisers, but should be an attainable goal for as many advertisers as possible.

II.

With his third announcement the Advertising Council removes in addition the thousands of contract-conditions, which hitherto each publisher had made according to his own opinion. Their place will be taken by the "general business rules in advertising" and the "general business rules for advertising agents". In these stipulations general business transaction including the conditions of payment are now regulated uniformly for all publications. The publisher has of course the right, just the same as the advertiser, to make additional rules; however, those must not be in contradiction to the general

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rules.

The Advertising Council binds everybody, who carries out commercial advertising through advertisements conform to the fixed rates.

Privileges, exceeding the price-list, may not be asked for or granted in any form either by the advertiser, the advertising consultant, advertising agent or publisher. This strict obligation to keep to the fixed price will cause every publisher to draw up his price-list in the future only after the most thorough deliberation. He will above all have to be careful not to bind himself by additional and too strict rules, which will hamper his advertising business and could only be settled by drawing up a new price-list.

The advertiser is particularly protected from ^{an} unjustifiable increase of the advertising prices through figure 13. The transfer-regulations grant the right to continue all orders which were placed before 1 January 1934 on the basis of the old contracts until 30 June 1934. In many cases it will merely be necessary to convert the basic price according to the column-standard and the millimeter-measurement. The remaining orders, which have to be carried out after 30 June 1934, will have to be re-evaluated according to the new price list and are to be carried out in conformance with the new rules.

The Advertising Council is attacking very firmly the abuses with regard to fraudulent figures of circulation. This pest in the German advertising business must be eliminated ruthlessly, and it is hoped that it will not be necessary any more in the coming year to mention the word "circulation-fraud" at all.

(page 6 of original)

The regulations of the Advertising Council pertaining to the circulation-data are particularly strict. But the honest publisher is not to be made to suffer in any way because of the former business practices of dishonest rivals. The publisher can state the circulation in a manner which will leave the layman unaffected and will not lead to an unjustifiable scramble for higher circulation figures. Moreover, it will be a gratifying task for all participants to convince the advertiser, that the extent of the circulation alone is not the decisive factor for the appraisal of the advertising value of a publication.

In addition to the publisher, the responsible head of the advertising department is also responsible in the future for the execution of the regulations of the Advertising Council. He must be named in every masthead. By these means only will it be possible to keep professionally unsuitable persons out of the advertising business. Every publisher is of course responsible for the business practices of his agent and since he will not be very keen that his permit, allowing him to continue to publish advertisements in his paper, be cancelled, he will take good care in the future, that he is represented only by professionally suitable and reliable persons. Thus the standard of the advertising agents will be raised in the simplest manner.

Excerpts from "Reichsgesetzblatt" Part I, 1933, No. 99,
issued in Berlin, 13 September 1933.

Page 625.

Law about Commercial Advertising of 12 September 1933.

The Reichgovernment has agreed upon the following
law which is herewith promulgated:

Section 1

For the purpose of uniformity and efficiency, the
entire public and private propaganda, advertising, exhibi-
tion, fair, and promoting business is subject to the
supervision of the Reich. The supervision is exercised
by the Advertising Council of the German Economy.

Section 2

The members of the Advertising Council are appoint-
ed by the Reich Minister for Public Enlightenment and Pro-
paganda with the consent of the competent ministers.

The Advertising Council is subject to the super-
vision of the Reichminister for Public Enlightenment and
Propaganda, which is exercised with the consent of the
Reichminister in charge of economic policy.

Section 3

Anyone who is engaged in Commercial Advertising
has to have a license of the Advertising Council. The
Advertising Council can make the granting of the license
dependent upon the payment of a tax, the amount of
which will be fixed by a decree of the Reichminister for
Public Enlightenment and Propaganda and of the Reichmini-
ster of Finances. The license can be made subject to
further conditions.

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The Advertising Council, in certain cases of personal advertising, can make exceptions from the requirement of a license.

Section 4

The Reichminister for Public Enlightenment and Propaganda issues a charter to the Advertising Council with the consent of the Reichministers competent for economic policy. The Reichminister for Public Enlightenment and Propaganda appoints the president of the Advertising Council and nominates the executives.

Page 628.

First Regulation for the Implementation of the Law about
Commercial Advertising of 14 September 1933.

On the basis of section 6 of the Law about Commercial Advertising of 12 September 1933 (Reichsgesetzblatt I, p. 625) and in agreement with the Reichministers competent for the economic policy, I order as follows:

The Advertising Council of the German Economy will be established by an additional implementation regulation. Pending its issue the legal status as at present will remain in force.

Berlin, 14 September 1933

The Reichminister for Public Enlightenment
and Propaganda

As per direction

(signed): Dr. GREINER.

Page 791:

Reichsgesetzblatt I, No. 12 L, issued on 30 October 1933.

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Second Implementation Regulation to the Law about
Commercial Advertising of 27 October 1933.

On the basis of section 6 of the Law about Commercial Advertising of 12 September 1933 (Reichsgesetzblatt I, page 625), and in agreement with the Foreign Office, the Reichminister of the Interior, the Reichminister of Finances, the Reichminister of Economy, the Reich Labor Minister, the Reich Post Minister, the Reich Minister of Transport and the Reichminister of Food and Agriculture, the following is ordered:

Section 1

(1) The Advertising Council of the German Economy has become an established fact. It is a legal entity existing under public law, with its own assets. Its seat is Berlin.

(2) The Supreme Auditing Court of the Reich is to check the income and the expenses of the Advertising Council according to the regulations of the Reich Budget Law.

Section 2

(1) The president and the executives of the Advertising Council will have the status of Reich Civil Servants with all privileges and duties.

(2) The employment conditions relating to the employees and workers of the Advertising Council must be similar to those relating to the wages regulations for Reich employees and Reich workers.

Section 3

Except for such companies of the Advertising Council as operate a private enterprise in excess of the general administration of the assets of the Advertising Council, the Advertising Council and the companies founded by the same

(page 4 of original)

will be exempt from the taxes which the Reich, the Lander and the communities (or associations of communities) levy from the income, property, real estate and from the enterprises of trade and industry.

Section 4

(1) The Advertising Council will announce which persons and associations will be granted a license for business advertising in general and which categories of business advertisements will be generally approved. Certain categories of business advertisements may be generally barred.

(2) The Advertising Council can rescind a license at any time. Blanket licenses can be made invalid with respect to individual cases and to certain categories of business advertisements.

(3) In addition, the Advertising Council will announce under which general rules the entire public and private propaganda, in particular the exhibition, fair, advertisement and poster business will be made and carried out uniformly and efficiently. In addition, the Advertising Council will fix the general rules under which Commercial Advertising will be licensed without prejudice to the conditions which may be imposed in individual cases.

Section 5

(1) The Advertising Council must take steps in order to remedy abuses which have become a nuisance in the advertising business.

(page 5 of original)

(2) In particular, the Advertising Council will have to bring about truthfulness in Commercial Advertising and to establish the confidence in the values of the means of advertising, above all by seeing to it that the advertising rates are observed (adherence to rates) and that the fraudulent circulation figures with newspapers, periodicals and other printing matter are abolished.

(3) Steps must be taken against unreliability and fraud in the advertising business.

Section 6

(1) The Advertising Council can direct in which districts and at which places outdoor advertising must not be carried out.

(2) In order to facilitate the use of advertising, the means of advertising and the conditions under which orders may be placed may be standardized.

(3) The Advertising Council may in addition direct that enterprises which professionally lease or act as agents for the lease of means for advertising must be merged into associations which will have to pre-check applications for permits and licenses and which are to collect taxes (see section 8).

Section 7

(1) Advertising agents must be licensed by the Advertising Council; the license also may be granted in general.

(2) An advertising agent is anyone who, acting for other parties, places advertisement orders in his own name and on his personal account with third parties and associations who carry out propaganda for others (advertisers).

(page 6 of original)

(3) The Advertising Council must publish the licenses.

(4) Licenses may be retracted at any time. The retraction must be published likewise.

Section 8

(1) The tax mentioned in section 3 of the Law about Commercial Advertising must be levied

- a) from the gross receipts of the organizer, if it is a matter of a license for a fair or exhibition,
- b) in the case of a license for any other category of commercial advertising from the gross receipts the advertiser obtains through the advertisement, even if the latter does not exclusively aim at business purposes.

The tax-rate will be 2%, and is to be raised to the nearest full Reichsmark amount.

(2) Against a fee, the amount of which will have to be fixed, the collection of the tax may be transferred by the Advertising Council to associations of enterprises which professionally lease or act as agents for the lease of advertising means.

(3) In particular as regards the levying of the tax and the distraint, the tax will have the character of a public tax.

(4) The taxes which are to be paid by the Reich Post Office and by the German Railways for the license of commercial advertising carried out by the said authorities directly, will be fixed by the Reichminister for Public Enlightenment and Propaganda in agreement

(page 7 of original)

with the Reich Post Minister or the Reich Minister of Transport.

Section 9

In the implementation of the Law about Commercial Advertising, of its implementation regulations, and of the regulations which the Advertising Council may issue, the authorities of the Reich and of the Laender will have to lend their legal and administrative assistance free of charges.

Section 10

(1) This regulation will become effective on 1 November 1933.

(2) For advertising which is already in course at the time of the enactment of these rules and directives, applications for individual permits or licenses which are obligatory under the Law about Commercial Advertising, under the implementation regulations, and under the decrees of the Advertising Council, must not be made later than six weeks after the regulations or directives become effective. Pending the decision of the Advertising Council applications for permits and licenses will be considered granted if applications are made within the said deadline.

Berlin, 27 October 1933.

Acting for
The Reichminister for Public
Enlightenment and Propaganda.
(signed) Walter FUNK.

I certify herewith that the above document is a literal excerpt from the "Reichsgesetzblatt" Part I, 1933.

Nuernberg, 24 March 1943. (signed): Rudolf ASCHENAUER,
Defense Counsel for
defendant GATTINEAU.

Document Book I GATTINEAU

Certificate of Translation

14 April 1948

We hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of Document Book I GATTINEAU.

Hanna Marie BIEBER, Civ. No. B-397 989, (Cover; pages I-IV; 61-64a)

.....

Hildegard L. FIRTEL, Civ. No. 17 415, (pages 11-14; 48-55; 73-74;
86-92)

.....

Gerhard FISCHER, Civ. No. 17 397, (pages 24-27)

.....

Rosl GETREU, Civ. No. 45 672, (pages 15-19; 80-85a)

.....

Paul E. GROPP, Civ. No. B-397 975, (pages 1-7; 75-79)

.....

Alfred OBERLAENDER, Civ. No. 20 192, (pages V-VIII; 8-10; 67-72)

.....

Ursula E. RUDMAN, Civ. No. 20 130, (pages 56-58)

.....

Kurt SCHREUER, Civ. No. 35 299, (pages 28-33)

.....

Case 6
Defense

TRIBUNAL VI

CASE VI

Document Book X

for

Dr. Heinrich GATTINEAU

submitted by

Rudolf ASCHENAUER

Defense Counsel

Long



Table of contents of
Document Book No. II
for Dr. GATTINEAU

Doc. No.	Exh. No.	Description of the document	Page
26		Affidavit by Erwin KNITZER, attached 3 photostats of original documents from Privy Councillor DUISBERG's secretariate.	1
		The correspondence between Privy Councillor DUISBERG and Dr. GATTINEAU, confirmed by the witness, shows that Dr. GATTINEAU donated his share of the royalties from the book on DUISBERG, which he published, (excerpts from it see GATTINEAU document No. 9) to the Elsa BRANDSBOEM foundation.	
SCHMITZ 14		Letter from Privy Councillor DUISBERG to Dr. Elsa BRANDSBOEM-ULRICH, dated 8 August 1933.	6
		This document shows the purpose of the Elsa BRANDSBOEM foundation, mentioned in Document GATTINEAU 26, which Privy Councillor DUISBERG established in 1933 for the politically persecuted BRANDSBOEM-ULRICH family.	
ILGEN 50		Excerpt from the record of the 71st session of the work committee on 7 September 1932:	8
		"Furthermore the central committee has decided on the formation of an economic-political department under the management of Dr. GATTINEAU, in which the press office, the economic-political office and the trade-political office will be combined."	

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GATTINEAU Document Index

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27		Excerpt from the record of the 78 th session of the work committee on 13 June 1933: Dr.GATTINEAU's promotion to Prokurist.	10
28		Affidavit by Hans CAON	13
		The witness reports on the trip to Africa of an industrial commission, which was made from December 1937 until April 1938 to Southern Rhodesia and the Union of South Africa in order to strengthen the trade relations between the two countries. "The travelers received the news of the annexation of Austria shortly before the "Windhoek" left Cape Town. They were all completely surprised by these news. This also applies to Dr.GATTINEAU." The witness confirms that, from numerous conversations with Dr.GATTINEAU, he did not gain the impression that Dr.GATTINEAU "knew anything at all of the annexation or of the other measures which were carried out in 1938 and after 1938."	
BULGIN 20		Excerpt from STAUB's commentary to the German Commerce Law, 14 th edition, 1932: From the commerce law point of view the honorary director remains Prokurist.	15
29		Affidavit by Dr.Friedrich WEBER.	16
		The witness, who was leader of the Bundesoberland, deals with the history and aims of this Bund, which	

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	was dissolved and forbidden in 1933. "The independence of the Bund Oberland as regards the parties, the fact that it had Freemasons and half-Jewish members in its ranks and even in leading positions soon led to conflicts with the NSDAP, which forbade its members in 1926 to belong to the Bund Oberland."	
30	Affidavit by Dr. Wilhelm STEINBERG	19
	The witness confirms that Dr. GATTINEAU worked for the conservative people's party during the election campaign 1930/31. "At that time Dr. GATTINEAU was an enthusiastic adherent of Treviranus. If I am not mistaken he was... also a candidate on district ticket."	
31	Affidavit by Erwin KAITZER.	20
	The witness describes Dr. GATTINEAU's political attitude and points out his active work for the conservative people's party.	
32	Affidavit by Hans Heinrich SCHULZ.	22
	The witness, who was the president of the German Students' Association from 1929 until 1931, reports on the student elections and says among other things: "My activity and that of my friends holding the same opinions was now directed towards influencing the election results by appropriate propaganda in the public election campaigns"	

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in order to dam the Nazi majority. This was carried out with great success in different universities and colleges until the spring of 1933.... Funds were needed to carry out these election campaigns and to procure the necessary means for the organization. Therefore I contacted Privy Councillor DUISBERG and Dr. GATTINEAU and tried to procure funds for our activity. These were readily given to me. In the course of this it became evident that especially Dr. GATTINEAU made efforts in this direction... At the time I was able to see clearly that Privy Councillor DUISBERG as well as Dr. GATTINEAU did everything to support those organizations and groups which opposed the seizure of power by National Socialism. During the subsequent period I still had frequent opportunities to talk with Dr. GATTINEAU. During these talks it emerged over and over again that he did not agree with National Socialism in any way."

Finally he reports on the HINDERBURG election: "On the occasion of the last Reich president election, Dr. GATTINEAU in agreement with and by order of Privy Councillor DUISBERG turned to me with the request that the circles close to me should work for HINDERBURG's election who was put up as candidate of HITLER's opposition."

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Schmitz 24		Affidavit by Ernst PFEIFFER	25
		The witness, who dealt with the details of the supporting payments to political parties and politicians which were to be instigated by Dr. KALLE from I.G. funds, estimates the individual amounts which were put at the disposal of the German People's Party, the German Democratic Party, and the Center Party during the elections. The witness confirms that the I.G., in 1932, granted a lump sum of 1,000,000.-RM for the support of HINDENBURG's candidacy against HITLER.	
Schmitz 26		Affidavit by Dr. Dr. Guenther GERMER.	28
		The witness, who was the president of the "United HINDENBURG Committees of Germany" for the re-election of HINDENBURG, confirms that a considerable part of the approximately 7 1/2 millions RM election funds was raised due to Privy Councillor DUISBERG's arrangement.	
Schmitz 25		Affidavit by Dr. Wilhelm Ferdinand KALLE.	30
		The witness supports the explanations in the foregoing Document Schmitz 26 and states in regard to the question of competency that larger and basically more important contributions were to be approved by the administrative board, that	

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		in practice things worked out in such a way that he consulted with BOSCH and sometimes also with DUISBERG.	
33		Affidavit by Dr. Curt DUISBERG	32
		The witness corrects a mix-up in names in the contribution matter, which occurred in the Prosecution's presentation of Prosecution document NI-3799, and then deals with the Adolf HITLER contribution: "The I.G. did not refuse to give to this collection, because it presented the chance of evading the innumerable demands without having to fear that we would be put under pressure in that stormy period." He states that the purpose of the contribution was purely social and that it served to help the unemployed members of the formations in their social misery.	
34		Affidavit by Karl SCHREYER.	35
		The witness, who was ROEHL's chief of administration in the supreme SA-leadership until 1934, confirms that ROEHL awarded to Dr. GATTINEAU the title of SA-Sturm-bannfuhrer as an honor, that Dr. GATTINEAU did not hold an office in the supreme SA-leadership, much less was he an economic consultant to ROEHL. The witness then describes details of the events of 30 June 1934, as far as	

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they affect Dr. GATTINEAU

35 Affidavit by Hans RECHENBERG. 38

The witness, who has known Dr. GATTINEAU since the twenties, confirms that Dr. GATTINEAU out of his political conviction belonged to the circles that tried to prevent a seizure of power by the NSDAP in favor of a strong "democratic government". The witness then reports on Dr. GATTINEAU's work for the HINDENBURG election against HITLER. He goes on to describe the reasons why ROHM appointed GATTINEAU honorary leader in the SA. In conclusion the witness speaks of the events of 30 June 1934 and confirms that Dr. GATTINEAU from that date on abstained from any, even if only apparent, political ties and work, and that in 1933/34 repeated attempts were made to attack Dr. GATTINEAU for political reasons.

36 Affidavit by Max JUSTNER. 41

The witness, who was a member of the supreme SA-leadership from 1933 until 1945, comments on the position of the so-called honorary or Z.V. leaders within the SA:

"The honorary and Z.V. leaders were not authorized in any way to exert influence on the leadership, organization, training and allocation of the SA."

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		Nor did GATTINEAU ever try to exert such an influence or exert any influence. He never had any authority of command within the SA. Nor was he ever in charge of SA units." He goes on to confirm that Dr. GATTINEAU never was an economic consultant to ROEHR.	
37		Affidavit by Max JUSTNER.	43
		The witness describes ROEHR's attitude towards external and internal political questions. Among other things he says: "ROEHR followed a policy of agreement with the Western Powers. The creation of a militia, which he had planned, was to be carried out after previous agreement with the Western Powers In the field of internal politics, ROEHR, in contrast to other Party offices, advocated gaining the labor unions for collaboration in the economic and social life in Germany." In view of this attitude of ROEHR estrangement ensued between him and HITLER, which played a decisive part in the former's murder.	
38		Affidavit by Prof. Arthur A. BRUNT of the University of Toronto, Canada.	45
		The witness, who during the years 1934 until 1936 lived in Dr. GATTINEAU's house for considerable time,	

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confirms Dr. GATTINEAU's extremely liberal attitude, and that unrestrained discussions took place in his house and among his guests. He goes on to confirm there were no political tendencies in the sports association of which Dr. GATTINEAU was president; that, on the contrary, there were two Jews among the members and that they were not subjected to any kind of discrimination.

39

Affidavit by Karl Heinz SCHEFFLER.

47

The witness, who has known Dr. GATTINEAU for about 14 years as a sportsman, says among other things: "I personally owe thanks to Dr. GATTINEAU for the fact that, in spite of my Jewish extraction (Mischling 1st grade), I was always allowed to carry on sports within this club, although in 1937/38 a club member, SCHWEIKERT, an SA-Truppfuehrer, could not reconcile it with his political views that he should belong to the sports club together with a Jewish "Mischling". In this case Dr. GATTINEAU unhesitatingly decided against the arguments of this SA-Truppfuehrer with the comment that only athletic interests and capabilities were decisive in this sports club of the "Zehlendorfer Wespen" and not political and racial ones."

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40		Affidavit by Dr. Walter STEGMAIER.	49
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The witness, who also was a member of the above-mentioned sports club, states among other things:

"Dr. GATTINEAU's attitude as president of the club gave the entire club the appearance of a non-political neutral association, and it was a place of recovery for the individual member, far from any political spying."

41		Affidavit by Peter SCHAEVEN.	52
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The witness, who has known Dr. GATTINEAU since 1928 and who at present is the secretary-general of the Christian Democratic Union Cologne, confirms that Dr. GATTINEAU, as leader of the press office of the I.G., which had to maintain contact with the important persons of the individual political parties, tried to establish contact with him as a Center Party member.

"As far as I know, Dr. GATTINEAU carried out these tasks impartially. I know for a fact that he himself was a follower and supporter of the young conservative movement under the leadership of TREVIRANUS. TREVIRANUS was an adherent to Reich Chancellor Dr. BRUENING's policy....

I do not believe that Dr. GATTINEAU adhered to the ideology of National Socialism." He concludes by saying: "To-day I am the secretary-general of the Christian Democratic Union

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of the city and Land of Cologne, am completely cleared, and am glad to acknowledge that, in 1933, Dr. GATTINEAU exerted his influence in the I.G. in order to save me, who at the time lost all my means and employment, from complete poverty and by that helped me to maintain my upright attitude against National Socialism."

42

Affidavit by Mathilde SCHIESSL.

54

The witness, who was employed with Dr. GATTINEAU in the Firm A.G. Dynamit-Hobel in Pressburg as manager of the pay office, testifies among other things: "Even at the beginning I noticed that Dr. GATTINEAU was extraordinarily popular with our staff, not only with the Germans but especially with the Czechs, Slovaks and Hungarians..... As regards politics, no National Socialist attitude was noticeable, especially since he unswervingly went to church every Sunday with his entire family, although this was not viewed with pleasure in National Socialist circles." The witness goes on to state that the 10 frequently complained to her that the gentlemen of the firm were poor National Socialists and that the firm, with regard to political attitude,

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took last place in Pressburg.

43

Affidavit by Dr. Heinrich
GATTINEAU.

57

Dr. GATTINEAU corrects his re-
tracted affidavit NI-4038,
dated 13 March 1947 (Prosecution
Exhibit 26, Doc. Book III)
by a revised affidavit.

Order for making corrections filed in Doc. Bk. I
after the index.

Document Book II GATTINEAU
GATTINEAU Document No.26
Exhibit No.

Certificate

I herewith declare that all documents contained in this
document book are literal copies of the documents submitted
to the Tribunal.

Luernberg, 25 March 1948

Rudolf ASC-ENAUER

Defense Counsel of the Defendant GATTINEAU.

AFFIDAVIT

I, Erwin KRITZER, resident in Leverkusen-Wiesdorf, A.-W.-
Hofmann-Str.9, know that I render myself liable to punishment
if I make a false affidavit. I declare upon oath that the
following statements correspond to the truth according to the
best of my knowledge and belief, and were made in order to
be submitted as evidence to the American Military Tribunal
in case VI (I.G.Farbenindustrie A.G.).

I hereby certify that the following documents originate from
the original records of the former office of Geheimrat DUISBERG
and are to the best of my knowledge and belief carbon copies
or literal copies of the original letters.

1. Photostat of a letter by Dr.H.GATTINEAU dated 9 August 1933
addressed to Geheimrat Dr.DUISBERG.
2. Photostat of Geheimrat Dr.DUISBERG's reply dated 13 August
1933 directed to Dr.GATTINEAU.
3. Photostat of a newspaper article from the "Bergischen
Arbeiterstimme" No. 272 of 3 December 1931, the title
of which is "DUISBERG did not Participate".

Leverkusen-Bayerwerk, 18 March 1948

signed: Erwin KRITZER
(Erwin Kritzler)

The above signature of Erwin KRITZER, Leverkusen-Wiesdorf,
A.W.-Hofmann-Str.9, was given before me, Attorney-at-Law,
Dr.Hugo SCHLANK.

Document Book II GATTINEAU
Document GATTINEAU No.26
Exh.No,

Assistant Defense Counsel at the Nuernberg Military Tribunal,
and is hereby certified and attested to.

Leverkusen-Bayerwerk, 18 March 1948

signed: Dr.Hugo SCHRAMM
(Dr.Hugo Schramm)

Attorney-at-Law and Defense Counsel

Document Book II GATTINEAU
Document GATTINEAU No. 26
Exh. No.

Dr. H. GATTINEAU

Berlin NW-7, 9 August 1933
Unter den Linden
a d Flora 0021

Herr Geheimrat Prof. Dr. C. DUISBERG
I.G. Farbenindustrie Aktiengesellschaft

LEVERKUSEN - I.G. WERK

My dear Herr Geheimrat,

Supplementing my letter of today I would like to inform you
that I have requested the publishers Reclam to remit to you
for the Elsa-FRANDSTROM-Foundation planned by you the share
in the royalties due to me through the new edition of your
book.

With sincerest greetings

I am

your grateful

Dr. GATTINEAU

Document Book II GATTINEAU
Document GATTINEAU No. 26
Exh. No.

I.G. LEVERKUSEN 13 August 1933
at present at Eibsee

Herr

Dr. H. GATTINEAU

BERLIN NW 7

Dear Doctor,

I was informed here of the contents of your kind letter of 9 August. I am pleased about your being willing to put at the disposal of the Elsa-BRANDSTROEM-Fund the royalties from the biography. Also from this aspect it is to be hoped that the book will be published in enormous numbers.

With sincerest greetings,

I am your,

signed: C. DUISBERG

I.G. LEVERKUSEN

Central Office for Economic Problems

News Service

from B. Arbeiterstr. No. 272, circulation of 3 December 1931:

DUISBERG Was not Among Them

Solingen. We published a communication in which a passer-by announced, that he had with certainty recognized the well-known DUISBERG in his de luxe automobile in front of Café GROEHL, Solingen. With reference to this we receive the following correction from an attorney-at-law SCHRANN, Cologne:

"The assertion in the communication to your newspaper No. 262, of 21 November 1931, relative to the report of the "Workers Voice" (Arbeiterstimme):

"Nazi Manufacturers Convene", that Herr Geheimrat DUISBERG was supposed to have participated in the economic conference of the Nazis, is untrue. Herr Geheimrat DUISBERG never participated either in the session mentioned in the article, nor in any other meetings of the National Socialist Workers' Party of Germany."

Document Book II GATTINEAU
Document GATTINEAU No.

Exh. No.
(SCHMITZ Document No.14)

Geheimer Regierungsrat
Prof. Dr. Carl DUISBERG

Leverkusen, 8 August 1933

To: Dr. Else BRAENDSTROEM-ULICH
Kniebis bei Freudenstadt

Kurshaus Alexanderschanze

My dear Frau BRAENDSTROEM-ULICH,

I was informed by Dr. SCHAIRER and his wife that in consequence of your husband's dismissal from his post as Ministerialrat at the Ministry of Ecclesiastical Affairs and Education as well as from his post as professor at the Technische Hochschule (Institute of Technology) in Dresden you found yourself in straitened circumstances, which forced you to dismiss your maid and to do all the housework yourself.

In view of the many services of sacrifice you rendered to the German prisoners of war in Siberia, and later on to the children of the deceased prisoners of war with your children's home in Neusorge, I felt obliged to write to a number of industrialists, especially to those who at that time provided you with the means for the maintenance of your children's home until the children reached the age when they were able to make a living.

These gentlemen have now undertaken - as you may see from the attached list - to place at your disposal during the next five years one or more shares to an amount of RM 300.- totalling so far RM 4200.- per year.

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(SCHMITZ Document No: 14)

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I beg you to let me know the number of your banking account in Dresden so that I can ask the gentlemen to transfer the amounts subscribed to this account. I shall inform you of further subscriptions.

We all hope that in this way we have contributed a mite to your economic maintenance; I assure you as always of my regard and send you sincere greetings.

Yours

signed: C. DUISBERG

Certified true copy,

signed: Rudolf ASCHENAUER

Counsel for the defendant
GATTINEAU.

Document Book II GATTINEAU
Document GATTINEAU No.
Exh. No.
(ILGNER Document No. 50)

Excerpt from the minutes of the 71st meeting of
the Working Committee of the I.G. Farben, Wednes-
day, 7 September 1932.

Point 1 of the agenda:

Central Committee

Reporter: BOSCH.

.....
The Central Committee further decided on the forma-
tion of an Economic Policy Department. This will
be headed by Dr. GATTINEAU and will embrace the
Press Bureau (Dr. BRETTNER), the Economic Policy
Bureau (Dr. ALBERS) and the Commercial Policy Bureau
DAHMANN). The department will be directly subordinat-
ed to the Central Committee. The aim is to concentrate
in one place all interests of the I.G. relating eco-
nomic policy. Attention is drawn to the fact that
Dr. GATTINEAU must be informed before discussions
with authorities, associations and ministries take
place on questions of economic policy so that the
Economic Policy Bureau is at all times in a position
to see that the I.G. acts uniformly when dealing
with outside authorities.

List of the gentlemen who attended the 71st
meeting of the Working Committee of the I.G. Farben
on Wednesday, 7 September 1932, at 9:30 a.m. in the
Administration Building of the I.G. Mines Administra-
tion in Halle on the Saale, Merseburgerstrasse
156/157.:

From the Administrative Council (Verwaltungsrat):

Geheimrat Professor Dr. DUISBERG
Geheimrat Dr. HAEUSER
Dr. C. WEINBERG
Kr. KILLE
Dr. MANN
Dr. vom RATH
Geheimrat Dr. SCHUON
Dr. v. SIMSON
Geheimrat Dr. A. v. WEINBERG

Document Book II GATTINEAU
Document GATTINEAU No.
Exh.No.
(ILGNER Document No.50)

(page 2 of original)

From the Working Committee (Arbeitsausschuss):

Geheimrat Prof. Dr.BOSCH	Vorsitz
Dr. BUHL	
Prof. Dr. DUDON	Dr. OTTO
Dr. G.JEWSKI	Dr. OSTER
Dr. GAUS	Dr. PISTOR
Prof.Dr.HOERLEIN	Geheimrat Dr.SCHMITZ
Dr. v.KNIERIEM	Dr.v.SCHNITZLER
Dr. KRAUCH	Prof.SECK
Dr. KREKELER	WIBEL
Dr. KUEHNE	WEBER-ANDREAE
W.R. MANN	WESKOTT
Dr.F. ter MEER	

Others: GREIF, MUEHLEN, SCHERF.

Recorder: LUISBERG.

A f f i d a v i t .

I, Peter KRONMUELLER, an employee of the I.G. Control Office in Frankfurt on the Main and the Head of the Central Archives in Frankfurt on the Main/Friesheim, residing in Frankfurt on the Main, Lersnerstrasse 31, know that I shall render myself liable to punishment if I make a false affidavit.

I declare upon oath that the excerpt from the minutes relating to the 71st meeting of the Working Committee of the I.G. Farben on Wednesday, 7 September 1932, as contained on the reverse of this affidavit agrees with the references filed in the Records Building of the I.G. Control Office in Frankfurt on the Main-Griesheim.

Frankfurt on the Main-Griesheim, 21 January 1948.

(signed): KRONMUELLER.

The foregoing signature of Herr Peter KRONMUELLER, residing in Frankfurt on the Main, Lersnerstrasse 31, made in his own writing, was made before me to-day, which fact is certified herewith and attested to by me.

Frankfurt on the Main, 21 January 1948.

(signed): Dr. Walter BACHEM.

Excerpt from the minutes of the 78th session of the
Working Committee (Arbeitsausschuss) at 1500 hrs. in the
afternoon of Tuesday, 13 June 1933, in the IG administration
building in Frankfurt a.M.

Point 1 of the agenda:

Central Committee:

Ref. BOSCH

Herr Geheimrat BOSCH reports on the discussions of the
Central Committee.

a).....

b) The following promotions were effected:

The following are promoted to deputy director:

BUERGIN, Ernst Dr.	Bitterfeld	Inorganic Department
WENK, Berthold Dr.	Leverkusen	Triphenylmethane- colors

The following are promoted to Prokurist:

von der BEY, Willy	Bitterfeld	Engineer-Department
BINSLER, Otto, Dr. Ing.	Leverkusen	Engineer-Department
GATTINEAU, Heinrich, Dr.	Berlin	Economic-Political- Department
GOLDBERG, Reinhard, Dr.	Oppau	Nitrogen-Department
HEINEMANN, Eduard	Halle a. Saale	Pits Administration
LENNERTZ, Ludwig	Halle a. Saale	Pits Administration
LINGG, Alfred, Dr. Ing.	Muenchen	Camera-Works
MEDIGER, Harald, Dr.	Wolfen-Film	Patent-Department
OVERHOFF, Julius, Dr.	Frankfurt	Color Sales
REIDIES, Franz, Dr.	Leverkusen	Patent-Department
RIESS, Kurt	Dormagen	Artificial Silk Factory
ZAHN, Gerhard	Leverkusen	Pharmaceutical Sales

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List of the gentlemen who were present at the 78th session
of the Working Committee on Tuesday, 13 June 1933, at 1500 hrs
in the afternoon, in the administration building at Frankfurt
a.M.

From the Aufsichtsrat:

von RATH

HAEUSER

From the Administrative Council (Verwaltungsrat):

Geheimrat Prof.Dr. DUISBERG

Dr.C.v.WEINBERG

Dr.MANN

Geheimrat Dr. SCHUON

Dr.v.SIMSON

Geheimrat Dr. A.v.WEINBERG

Dr.KREKELER

Dr.KALLE

From the Working Committee (Arbeitsausschuss):

Geheimrat Prof. Dr. BOSCH - Vorsitz

Dr. BUSTEFISCH

Dr. BUHL

Dr.G.JEWSKI

Dr.F.TER MEER

Dr. GAUS

OTTO

Dr. HERMANN

Geheimrat Dr.SCHMITZ

Dr. HOERLEIN

Dr.v.SCHNITZLER

Dr. JACOBI

Prof.SELGK

Dr.v.KNIERIEM

WIBEL

Dr.KRAUCH

WESKOTT

Dr.KUEHNE

Dr. PISTOR

Others: HAEFLIGER, HANSEN, Dr.JACOBI, GRIESHEIM.

RECORDER: DUISBERG

A f f i d a v i t

I, Peter KRONMUELLER, employee of the IG Control Office
in Frankfurt on the Main and Chief of the Central Archives
in Frankfurt on the Main - Griesheim, resident at Frank-
furt on the Main, Lersnerstrasse 31, know that I render

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myself liable to punishment if I make a false affidavit.

I declare on oath that the partial copy, on the reverse side, from the minutes of the 78th meeting of the Working Committee (Arbeitsausschuss) of the IG Farbenindustrie AG corresponds to the records

located in the Records Building of the IG Control Office,
Frankfurt a.M.-Griesheim.

Frankfurt a.M., 21 January 1948

signed: KRONMUELLER.

The above signature was given today before me by
Herr Peter KRONMUELLER, resident in Frankfurt a.M.,
Lorenstrasse 31, in his own handwriting and is hereby
certified and witnessed.

Frankfurt a.M., 21 January 1948.

signed: Dr. Walter BACHM.

- Affidavit -

I, Hans C R O O N, born on 20 April 1896, a business-man, residing at present in Munich, Leopoldstrasse 16, have been warned that I shall render myself liable to punishment if I make a false affidavit. I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to the Military Tribunal VI in the Palace of Justice, Nuremberg, Germany.

Dr. GATTIEAU was a member of an industrial committee of which I was also a member and which made a trip to South Rhodesia and to the South African Union between December 1937 and April 1938. The initiative for this trip originated with Herr Hermann RAUSCH, the head of this committee, who played a decisive role in the conclusion of the commercial treaty between Germany and the South African Union, because he was particularly well informed about South Africa. This tour was not made upon a request of official authorities, but upon that of the Reich Group Industry and of the German Wool Combine and was to strengthen the commercial relations between the two countries.

All the participants returned to Germany on board the steamship "Windhook" of the German South-Africa-Line. As far as I remember the ship arrived at Rotterdam, where I left the vessel, in the first days of April 1938.

The news about the annexation of Austria reached the participants in the tour shortly before the departure of the "Windhook" from Capetown. They were all completely taken by surprise by this news. This also applies to Dr. GATTIEAU.

I frequently conversed with Dr. GATTIEAU about questions of general interest during the duration of the trip, but I have never had the impression that he had any fore-knowledge of the annexation or of other measures which happened in and after 1938.

While we were traveling in South Africa, Dr. GATTIEAU told me that he had established contacts with the Party at an early date upon the request of his superiors in order to secure informations for his firm. But he said that he withdrew from any political activity very soon, meaning approximately in 1934.

I have carefully read this affidavit consisting of one page and have signed it with my own hand, made the necessary corrections and initialed them.

I herewith declare upon oath that all the facts which I have mentioned in this affidavit, are true to my best knowledge and belief.
Munich, 30 November 1947. signed: Hans CROON

The foregoing signature of Herr Hans CROON, made before me, Dr. Holmut DUERR, Assistant Defense Counsel for Dr. GATTIEAU, is certified herewith.
Munich, 30 November 1947. signed: Dr. Holmut DUERR.

Excerpt from BURGIL-Document No. 20

Excerpt from:

STAUB's commentary on the Commercial Legal Code
14th Edition

elaborated by Dr. jur. h.c. Albert PIVIER, Justizrat
(Counsellor of Justice)

Dr. Felix BODI, Geheim-Justizrat
(Privy Counsellor of Justice)

Wilhelm GADOW, Reichsgerichtsrat (Supreme Appellate
Court Counsellor)

Dr. Eduard HEINICHEN, Reichsgerichtsrat (Supreme Appellate
Court Counsellor)

Par.

First Volume (/Par. 1 - 177)

Introduction and par. par. 1 - 104 elaborated by
Geheim-Justizrat (Privy Counsellor of Justice) Dr.

Felix BODI

(Quotation method: STAUB-BODI)

Par. Par. 105 - 177 elaborated by Justizrat

Dr. h.c. Albert PIVIER

(Quotation method: STAUB-PIVIER)

Berlin and Leipzig 1932

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.....

Page 300:

— Fifth Section. —

Procuration (Prokura) and "Handlungsvollmacht".

Par. 48

.....In an AG. (Joint Stock Company) a member of the Vorstand
(Board) cannot at the same time be a proxy-holder. But frequently
the title of "Betriebsdirektor" (plant director) or "stellvertretender
Direktor" (deputy director) or a similar title is given to a proxy-
holder; in spite of this title, he still remains a proxy-holder. Such
titles should not be entered in the Commercial Register (see also
directives of the Saxonian Ministry of Justice, dated 14 January 1907

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Exh. No.
(Document BUECHER No. 20)

to the Lower Court in Dresden relative to page 10448 of the Commercial Register; compare also appendix to Par. 8, remark 5); they might be misleading and create the impression that the proxy-holder is a member of the Vorstand (Board).

.....

It is hereby certified that this is a true and correct copy of the above document.

Munich, 26 January 1948

signed: Dr. Werner SCHUBERT
Defense Counsel for the Defendant
BUECHER.

AFFIDAVIT

I, Dr. Friedrich WEBER, born 30 January 1893, Theist, at present Courthouse Muernberg, have been warned that I render myself liable to punishment if I make a false statement. I declare upon oath that my statement corresponds to the truth and was made in order to be submitted in evidence to the Military Tribunal No. VI in the Courthouse Muernberg, Germany.

During the period 1922 until 1929 I was Bundleader of the Bund Oberland and am therefore in the position to state the following: The Bund Oberland was founded in late Summer 1921 in Munich and was entered in the register of associations. It originated from circles of the younger generation of the 1st world war and the old German Youth movement and spread very quickly in Bavaria and the adjoining Land and also in Austria. Between 9 November 1923 and February 1925 the Bund was dissolved and prohibited in Bavaria. Its re-establishment in Bavaria was effected in March 1925. It existed until May 1933, when it was dissolved by the Reichs Government and declared illegal.

During the time of inflation and after the resistance fight in Upper Silesia, at a time, when strong monarchistic trends became apparent in Bavaria, one of its most important, particularly emphasized aims, was to maintain the unity of the Reich and to strengthen the idea of one Reich. This explains the fight against all internal separatistic, which means also monarchistic aspirations, as well

as any possible forcible separatistic tendencies of individual parts of the Reich from the outside. On the other hand the Bund was, right from the start, in sharp opposition against communist attempts of revolution. The time of its original foundation made it understandable that the Bund fought vigorously against any shady business practices and usury by the state or by private economy.

The fear of a monarchistic, separatistic reaction in the South of the Reich and of a communist chaos in Central Germany and in parts of Northern Germany led in Autumn 1923 to a participation of the Oberland in the Bund.

signed: Dr. Friedrich WERB

After the Bund had been founded again in 1925, it became more and more a politically educational center of people, independent of party politics and with a mind of their own, who studied the problematic nature of the corporative state thoroughly, demanded unconditional political integrity and refused firmly any form of Party dictatorship. Common European problems of political science, economy and culture were the subject of lively discussions.

The independence of the Bund Oberland from political parties, the fact that amongst its members were Freemasons and Half-Jews even in leading positions, led very soon to conflicts with the NSDAP, which prohibited its members to belong to the Bund Oberland.

I have carefully read this affidavit, consisting of two pages, and signed it in my own handwriting, have performed the necessary corrections and have signed them with my initials.

I declare herewith under oath, that the statements in this affidavit correspond to the truth to the best of my knowledge and belief.

signed: Dr. Friedrich WEBER

Foregoing signature of Herrn Dr. Friedrich WEBER is herewith certified by me, Dr. Helmut DUERF, Assistant of the Defense Counsel for the Defendant GATTINEAU.

Munich, 11 March 1948.

signed: Dr. Helmut DUERF.

AFFIDAVIT

I, Dr. Wilhelm STEINBERG, born 2 December 1896, residing in Duesseldorf, Cecilienallee 80, have been warned of the liability to punishment in the case of submission of a false statement in lieu of oath.

I declare upon oath, voluntarily and without compulsion, the following for submission to the Military Tribunal No. VI in Nuernberg:

I certify herewith, that Herr Dr. GATTINEAU has been active for the Conservative People's Party during the election campaign 1930/31. When during the election campaign the former Reichsminister TREVLANUS came from Siegen via Hagen to Duesseldorf, the late Dr. Max HAHN, Dr. GATTINEAU, and I fetched Herr TREVLANUS by car. Dr. GATTINEAU was at that time an enthusiastic follower of TREVLANUS. If I remember correctly he was listed as a Candidate together with Dr. HAHN for the district-elections.

I have carefully read the foregoing statement, have initialed this page in my own handwriting and have signed it.

I declare upon oath that I have stated the whole truth in this affidavit.

Duesseldorf, 16 March 1948

signed: Dr. Wilhelm STEINBERG
(Dr. Wilhelm Steinberg)

The foregoing signature, given before me by Herrn Director Dr. Wilhelm STEINBERG, is herewith attested to and certified by me.
Duesseldorf, 16 March 1948

signed: Guenther WENDLAND
Assistant-Defense-Counsel.

AFFIDAVIT

I, Erwin KNITZER, born 12 June 1885, rel.: Baptist, profession: Office-Chief, residing in Leverkusen-Wiesdorf, Hofmannstrasse 9, have been warned that I render myself liable to punishment if I make a false statement in lieu of oath. I declare herewith upon oath, that my statement corresponds to the truth and was made in order to be submitted in evidence to the Military Tribunal N.VI in the Courthouse Muenberg, Germany.

Herr Dr. Heinrich GATTINEAU has been active from January 1928 until 31 October 1931 as assistant for economic-political affairs for Herr Geheimrat DUISBERG, chairman of the supervisory board of the I.G. Farben Industry A.G., Leverkusen. In addition Herr Dr. GATTINEAU was chief of the industrial secretariate of the I.G.

During this time I worked in closest contact with Herr Dr. GATTINEAU and know very well his political opinions at that time.

Herr Dr. GATTINEAU made no secret of his upright German and national attitude, but ideas, as represented by the NSDAP, he refuted firmly, at least as long as I worked together with him, although he already at that time had to take them into consideration. On the occasion of the Reichstag election (Parliament) Dr. GATTINEAU devoted himself actively to the Conservative People's Party, which at that time had dissociated itself from the German National Party led by HUGENBERG, and was in opposition to the NSDAP.

I also know, that the later Reichs Minister for Economy Walter FULK, whilst on a visit in Leverkusen in 1930 or 1931, made the attempt

to interest Dr.GATTILIAU in the ideas of National Socialism. But like Geheimrat DUISBERG, GATTILIAU refused also emphatically to take an interest in his plans.

Furthermore, the allegation of Herr FUNK in a written statement of 28 June 1945 submitted in Luernberg, that Dr.GATTILIAU had been a liaison man to the Party, is not correct, at least in regard to the time of his stay in Leverkusen, that is until 31 October 1931.

Nor did the Party

signed: Erwin KATZER

- 2 -

up to the above stated date receive any contributions through the mediation of Herr Dr.GATTILIAU from the I.G.Leverkusen.

I would like to add, that I myself have not been a member of the NSDAP nor was I in sympathy with that party.

I have carefully read the foregoing statement, consisting of two pages, have signed it in my own handwriting, have performed the necessary corrections and initialed them.

I declare upon oath that the statements made in this affidavit corresponds to the truth to the best of my knowledge and belief.

Leverkusen-Wiesdorf, 1 October 1947

signed: Erwin KATZER.

AFFIDAVIT

I, Hans Heinrich SCHULZ, born 23 June 1905 in Hanover, at present in Ueberlingen, Strandweg 54, have been warned that I render myself liable to punishment if I make a false affidavit. I declare upon oath that my statement is true and has been made in order to be submitted as evidence to Military Tribunal VI in Nuernberg.

Since my State examination in 1933 I have been an attorney in Berlin. At the moment I am not exercising my profession, as, owing to a very serious injury which I received in the war and which as yet has not healed, my liberty of movement is impeded. I have never been a member of the Party or of any of its affiliated organizations;

As a student and afterwards during the time that I was a Referendar, I was active in the field of the Student's Self-Administration, especially in the field of student's self-help. From 1929 - 1931 I was in the Vorstand and later Chairman of the German Student's Association.

In the course of these activities I came into close contact with the late member of the Vorstand of the I.G., Geheimrat Dr.DUISBERG and with his then secretary, Dr.Heinrich GATTINEAU. Dr.DUISBERG in particular, advocated the idea of student's self-help and was strongly supported in his efforts by Dr.GATTINEAU. During the years from 1928 - 1932 I cooperated with both Geheimrat Dr.DUISBERG and Dr.GATTINEAU in all questions concerning the student's self-help on the occasion of numerous meetings and conferences. From this work a cordial and close friendship with Dr.GATTINEAU resulted, the latter holding the same political views as I did.

Those students who supported me, were opponents of National Socialism. When, after local elections in the student's

association, there was a National Socialist majority, I relinquished my post at the end of the old year 1931, and in open opposition to the Nazis ceased to interest myself in activities concerning problems of the student's association. I maintained the leadership of the group that had supported me and we formed an organization, the purpose of which was to act as an opposing force to the National Socialist German Student's Association. We recognized the fact, undoubtedly true, that the majority of voters would orientate themselves according to the results of academic elections and that after 1 or 2 years, big politics would show the same results as were yielded at academic elections, previously. My activity and that of people who shared my views, was directed towards influencing local election results by relevant propaganda during the elections, and to stem the Nazi majority. This plan was carried out successfully at various universities and colleges until the spring of 1933. The outstanding Nazi majorities were practically always reduced to more or less meaningless minorities after we put in an appearance there. In 1933, the SA put ^a premature end to our activity. For the carrying out of these election fights and for means of supporting the organization, money was needed. I therefore contacted Geheimrat Dr. DUISBERG and Dr. GATTINEAU and tried to procure from them the necessary means for our activities. These were given to me willingly. It was clear that it was Dr. GATTINEAU in particular who tried to be of use in this connection. Through Dr. GATTINEAU I received until the middle of 1933 all the necessary means. Because of the impossibility of continuing our struggle I ceased in 1933 to approach Dr. GATTINEAU any further.

On the occasion of the last presidential elections Dr.GATTINEAU, by order of and in agreement with Geheimrat DUISBERG, turned to me with the request that circles closest to me, should pledge themselves to vote for HINDENBURG who had been put up as an opponent to HITLER. I readily agreed to that request. On the occasion of a reception given by HINDENBURG which for the main part was attended by academic circles and in which Dr.GATTINEAU by order of Geheimrat DUISBERG participated, the request of the Students association was submitted to HINDENBURG asking him to agree once more to be a candidate for the presidency.

At that time I had the fullest opportunity to establish the fact that both Geheimrat DUISBERG as well as Dr.GATTINEAU did their level best to support those organizations and groups which opposed a transfer of power to the National Socialists. Later on, I had often ample opportunity to talk with Dr.GATTINEAU. Every time the result was the same; he did not sympathize with the Nazis in any way.

Ueberlingen, Strandweg 54
26 October 1947

signed: Hans Heinrich SCHULZ

Certificate of signature

Above signature of Attorney Hans Heinrich SCHULZ of Ueberlingen Strandweg 54, identified by identity card of the Landrat's office Ueberlingen dated 4 June 1946, given to day in my presence is hereby certified. I pointed out to him the significance of an affidavit.

Konstanz, 6 November 1947
Bad.Notariat Konstanz I:
Justizrat

signed: illegible signature as Notary

Stamp: Badisches Notariat Konstanz.

1946 legal fees paid by stamp 2 RM
Badisches Notariat Konstanz.

I, Ernst PFEIFFER, 37 years old, residing at Tenne/Taunus, near Camberg/Nassau, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal at Nuernberg.

Since 15 June 1923 I was with the firm of KALLE & Co., Aktiengesellschaft, Wiesbaden-Biebrich, and was employed there at first as personal secretary to Dr. KALLE to assist him in his work as Deputy to the Landtag and the Reichstag and as leading member of the Vorstand of the German People's Party and subsequently also to take care of his personal affairs. In this capacity I was concerned with the technical details of the subsidies to political parties and politicians to be paid from Farben fund under Dr. KALLE's direction.

The amounts of the subsidies were determined upon by Herr W. F. KALLE after consulting the competent Farben instances, and the accounts were settled from case to case with Herr Geheimrat SCHMITZ. The amounts were paid out to me by the Heydtkontor G.m.b.H. through the instrumentality of Herr Dr. BRUECKNER of the German Laenderbank. Owing to a protracted illness of Dr. KALLE, his activity, in 1933, was limited to paying out the sums, initially fixed by him, because the treatment of this matter was turned over to other Farben instances, particularly, all the more so as Herr KALLE completely withdrew from political activity after the seizure of power by HITLER. From this time on, any further payments were made without the cooperation and direction of Herr KALLE and without my participation in arranging the technical details. As I have the vouchers in question no longer at my disposal, I am, therefore, unable to give a detailed account.

but I estimate the payments made through me as follows:

I. Current annual subsidies were granted to the following parties and politicians:

- a) the German People's Party approx. RM 200,000.—
- b) the German Democratic Party
(later State Party) " RM 30,000.—
- c) the German Center Party " RM 50,000.—

As far as I know, no subsidies were granted to other political parties via Dr. KALLE and through my instrumentality.

II. In addition to these subsidies approximately the following special subsidies were granted on the occasion of the Reichstag and Landtag elections:

- a) to member organizations of
the German People's Party approx. RM 200,000.—
- b) to member organizations of
the German Democratic Party
(afterwards the State Party) " RM 50,000.—
- c) to member organizations of the
German Center Party " RM 70,000.—

In Dr. STRESEMANN's times the subsidies granted to the German People's Party and the payments made in agreement with him to other political and economic agencies are estimated to have been even larger. To this must be added the expenses incurred in supporting his political ideas in the press, for which also considerable amounts were paid out.

III. On the occasion of the presidential election of 1932 - as far as I know - a lump sum

of RM 1,000,000.—

in the form of a crossed check was granted in support of HINDENBURG against HITLER.

This check had been made out in Frankfurt/Main. I personally brought this check to Berlin and, after presenting it to the

Reichsbank or the Deutsche Bank for certification, delivered it at the Wilhelmsstrasse.

IV. As far as I remember, I did not participate in the distribution of the subsidies in connection with the March election of 1933, as these payments were not made via Dr. KALLE, because for reasons of health he was outside of Germany from the end of January until the beginning of March, and because I, too, spent most of this time abroad on a furlough; however, I am quite certain that the above-mentioned parties were also supported in these elections, probably to the above-mentioned extent.

On 1 September 1933 I left my position with Herr KALLE and accepted a position with Farben in Ludwigshafen as chief of the personnel bureau for academically trained employees. I remember, however, that in connection with the dissolution of the other political parties after the March election of 1933 considerable amounts were still being paid to the German People's Party to enable it to pay off its election debts and to secure the immediate future of the party officials. I do not remember the exact amounts involved as I was not directly concerned with the payments. Whether or not subsidies were also paid to the State Party or to the Center Party, I do not know but consider it quite probable.

signed: Ernst PFEIFFER
ERNST PFEIFFER

I hereby certify the authenticity of the foregoing signature of Herr Ernst PFEIFFER, Tenne/Taunus, near Camberg/Nassau, given before me, Hanns GIERLICH, Deputy Defense Counsel at the Military Tribunal, Nuernberg.

Miesbaden, 8 September 1947

signed: Hanns GIERLICH

Dr. Dr. Guenther GEREKE
Member of the Landtag of
Lower-Saxony

I, Guenther GEREKE, residing at Hannover-Kleefeld, Schellingstrasse 5 B, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the American Military Tribunal (Case VI) at Nuernberg.

On the occasion of the presidential election in the spring of 1932 the following party-and other organizations formed a coalition in support of the re-election of Reich President von HINDENBURG:

Social-Democratic Party of Germany
German State Party
Center Party
Bavarian People's Party
Economic Party
Farmer's and Country People's Party
German People's Party
Christian-Social Party
People's Conservative Party
the Free and the Christian Trade Unions
the Reich Flag Association Black-Red-Gold
the Young-Teutonic Order
and large sections of the Stahlhelm.

The local working committees formed the so-called "Hindenburg Committees", which were united in the overall organization "United Hindenburg Committees of Germany". A working committee was chosen by the "U.H.C. of G." and I was unanimously elected as its chairman. Thus, all constitutional groups in favor of continued peaceful progress were represented in the "U.H.C. of G.", in contrast to radical groups who supported the presidential candidacy of HITLER of the extreme right and the candidacy of the communist leader THAELEMAN of the extreme left.

(page 2 of original)

Herr Geheimrat DUISBERG, the then Chairman of the Aufsichtsrat of I.G. Farben A.G., was also one of the members of the above-mentioned working committee and thus one of leading men sponsoring the re-election of HINDENBURG. Geheimrat DUISBERG, at that time also Chairman of the Reich Association of the German Industry, took an especially active part in advocating the re-election of HINDENBURG among industrial circles and had solicited from circles close to him considerable funds for the election of HINDENBURG. Of the approximately RM 7 500 000.--. (Seven and one-half million RM) which were collected as an election fund, a considerable part was solicited by Herr DUISBERG. Herr Geheimrat DUISBERG told me that Farben alone contributed RM 1 000 000.--. (One Million RM). The following may illustrate the unequivocal attitude of Herr DUISBERG towards National-Socialism:

When I was arrested on HITLER's orders after the so-called seizure of power and a well-known political trial was instituted against me in connection with the electoral campaign, Herr Geheimrat DUISBERG, when called as a witness in this trial, displayed a manly and clear-cut attitude against HITLER and National-Socialism even as late as 1934.

Hannover, 21 October 1947

signed: Dr. Dr. Guenther GEREKE

Dr. Dr. Guenther GEREKE

I hereby certify the authenticity of the foregoing signature of Herr Dr. Dr. Guenther GEREKE, Hannover-Kleefeld, Schellingstrasse 5 B, given before me, Hanns GIERLICH, Deputy Defense Counsel at the American Military Tribunal, Nuernberg.

Hannover, 21 October 1947

signed: Hanns GIERLICH
(Hanns GIERLICH)

Affidavit.

I, Dr. Wilhelm Ferdinand KALLE, 77 years old, residing at Tutzing on Starnberger See, Hauptstrasse 27, after having been cautioned that by making a false affidavit I render myself liable to punishment, hereby declare that my statement is true and was made in order to be submitted as evidence to the Military Tribunal at Nuernberg.

The affidavit of Herr Ernst PFELFFER concerning the contributions made by Farben for political purposes has been presented to me today. I consider these statements to be correct as to the substance, although I no longer remember the detailed amounts mentioned in the affidavit. In supplementation of these statements I should like to state the following:

1. I consider it quite probable that, in addition to the subsidies granted at my instance to the German Democratic Party (afterwards the German State Party), Professor HUMMEL received also direct payments for the same purpose via Geheimrat BOSCH in view of the fact that BOSCH and HUMMEL maintained especially close personal and political relations and kept in constant touch with each other.
2. Besides the payments of the above mentioned kind the policy of international cooperation and international agreement was also supported by occasional considerable contributions, even though such policy was not sponsored by a particular political party. I remember particularly well the contributions to the Pan-European Union, which were paid out to Count COUDENHOVE-KALERGI and the contributions to the European Review.

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(Document SCHMITZ No. 25)

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3. As to the question of the competency in regard to the contributions I should like to state that contributions involving larger amounts and of a fundamental nature should have been approved by the Verwaltungsrat. In practice this matter was handled in the following manner: I consulted BOSCH and sometimes also DUISBERG, and SCHMITZ caused the necessary steps to be taken to effect the payments as soon as I informed him that BOSCH was in favor of it. I do not know in detail how this matter was handled from 1933 on.

signed: Dr. W.F. KALLE
Dr. Wilhelm Ferdinand KALLE

I hereby certify the authenticity of the foregoing signature of Dr. Wilhelm Ferdinand KALLE, residing at Tutzing on Starnberger See, Hauptstrasse 27, given before me, Hanns GIERLICH, Deputy Defense Counsel at the Military Tribunal at Nuernberg.

Miesbadon-Biebrich, 8 September 1947

signed: Hanns GIERLICH

A F F I D A V I T

I, Dr. Curt DUISBERG, born on 29 March 1898, a Protestant, residing in Grussendorf, district of Gifhorn, have been warned that I shall render myself liable to punishment if I make a false affidavit. I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I have been confronted with the Document No. NI-3799 relating to the Adolf HITLER Fund, and with the assertion of the prosecution, German Transcript page 82 on bottom, of 27 August, forenoon (Opening Brief of the Prosecution), and page 344 of 2 September 1947, afternoon (presentation of documents). On the basis of document NI-3799 the Prosecution asserts that "Carl DUISBERG of the Reich Group German Industry, stressing its pronouncedly positive attitude" declared his willingness to participate in the Adolf HITLER Fund. In this connection I want to say the following:

It is a mistake as to names in this case. Not the chairman of the Aufsichtsrat, Privy Counsellor Dr. Carl DUISBERG, but I myself in my capacity of Head of the Z.A. Office attended the conference with the Reich Group of the Chemical Industry and wrote the file notation of 16 June 1933. Herr Privy Counsellor DUISBERG, the chairman of the Aufsichtsrat, as a matter of course, never dealt with matters of the management proper.

As to the Adolf HITLER Fund, the facts were as stated below: Immediately after the change in government in 1933, all industrial firms, including of course the individual I.G. plants likewise, were overrun by unauthorized collectors who made collections for the organizations of the Party under a more or less pronounced political pressure, partly with and partly without the approval of their superior agencies.

(page 2 of original)

In order to stem this nuisance which (signed: Dr. Curt DUISBERG) was a considerable encumbrance to the industry and resulted in many abuses. The Reich Group of the German Industry, in cooperation with the Union of the German Employers' Associations, initiated negotiations with the leading men of the Party. It was resolved to create an Adolf HITLER Fund which was to include in particular all organizations which deserved being sponsored. The members in the Adolf HITLER Fund received certificates which testified to their membership and which they were able to present to the collectors and which enabled them to decline ^{to give to} individual collections. The I.G. Farben did not withdraw from this Fund because it provided a possibility of getting away from the countless demands without having to fear any pressure in those restless days. We therefore urged that separate certificates were issued to the individual plants. For lack of data, I am unable to say any more whether the jointly fixed amount was distributed among the individual plants. Each plant actually got a separate certificate which it was able to show to collectors.

The notation, which was written by me, discloses that the purpose of the Fund was of a purely welfare nature and served to assist the unemployed members of the formations in their distressed situation, in particular the SA. For this reason, the Fund was considered as necessary and justified in accordance with the humanitarian attitude of the I.G. In accordance with my orders I stressed in the conference that the I.G., on account of the humanitarian character of the fund and on account of the possibility of calling a halt to the wild collection mania, took "an absolutely positive attitude" toward the Adolf HITLER Fund. But, equally upon orders, I stated that, for this very reason, the I.G. was not to be unduly burdened with the raise of the rate from 5% to 10%.

(page 3 of original)

We demonstrated in a clear manner that a levy of 10% of the wages was a rate which was much too high for the Chemical Industry anyway. And we attained in the end that the I.G. had to pay only 5%. Our "willingness to an immediate payment", as mentioned in the file notation, was declared because this helped to relieve at once the justified complaints of our plants which would be in a much better position in future of making a stand against the different formations than before. (signed) Dr. Curt DUISBERG).

I carefully read and signed with my own hand this affidavit which consists of three pages, made the necessary corrections and confirmed them with my initials.

I declare upon oath that the facts contained in this affidavit are true to my best knowledge and belief.

Grussendorf, 25 September 1947.

(signed): Dr. Curt DUISBERG.

The foregoing signature of Herr Dr. Curt DUISBERG is certified herewith by me, Dr. Holmut DUERR, Assistant Defense Counsel for Dr. GATTINEAU.

Grussendorf, 25 September 1947.

signed: Dr. Holmut DUERR.

A F F I D A V I T

I, Karl SCHREYER, born on 13 March 1891 in Eichenhofen/Bavaria, a Roman-Catholic, business-man, residing in Starnberg, Josef Fischhaberstrasse 9, have been warned that I shall render myself liable to punishment if I make a false affidavit. I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

In the summer of 1933 the then Stabschef of the SA, Ernst ROEHM, ordered me to inform Dr. Heinrich GATTINEAU, the then head of the I.G. Farben press department, that the title of an "honorary SA-Sturmabfuhrer" had been conferred upon him. The Stabschef of the SA attached some value to establishing contacts with the I.G. Farben at that time. At times I informed Dr. GATTINEAU now and then about the politically moderated ideas of ROEHM. I remember that I repeatedly talked with Dr. GATTINEAU, in particular during ROEHM's last days, about the latter's disapproval of the radical course of the Party as regards the domestic and foreign policy and about his advocating a lenient and humane course with respect to the trade unions and to other clerical and racial problems, because he was a friend of Gregor STRASSER's.

Dr. GATTINEAU did not hold any office in the higher SA, and with much less reason can he be called an economic advisor of ROEHM's who had his eye on SCHACHT for this purpose. It is possible that ROEHM also asked for GATTINEAU's opinion on economic matters one time or other in the days between the summer of 1933 and 30 June 1934.

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But there would be nothing surprising in that because ROEHM was also interested in economic and welfare questions and looked for information here and there. But in my opinion it would be impossible to call this a regular advisory activity. Dr. GATTINEAU certainly called on ROEHM on very rare occasions only. I at least do not remember having seen him with ROEHM at all.

As to the house I remember the following: Approximately in early 1934, ROEHM expressed the desire of renting for the residential use of SA-loaders a house next to his own house on Prinzregentenstrasse 7. Both houses were adjacent to each other. As far as I remember, GATTINEAU was informed about this desire of ROEHM's, and he, on his part, informed his superiors about it. The house was purchased then by an intermediary agency, I believe, and put at the disposal of ROEHM.

All the matters, which I have testified to above, I know on the basis of my own activities under ROEHM, as my last office was that of Chief of Administration in the Higher SA-Staff.

In the course of the events of 30 June 1934, Dr. GATTINEAU was arrested the same as myself, taken to the Gestapo-prison on Columbia-street in Tempelhof and shut up in a cell next to mine. The second floor where we were imprisoned was mostly emptied in the night between 30 June and 1 July, and the detainees were removed from their cells in order to be shot, partly in the cellar, partly in the court yard and above all at the rifle ranges of the SS in Lichterfelde East. I myself was just being led down the stairs for this purpose when HINDENBURG's order for the discontinuation of the shootings arrived.

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Dr. GATTINEAU's turn to be shot came after mine, as far as I remember. I think I remember that Dr. GATTINEAU then resigned from the S. in connection with these events.

I carefully read this affidavit, consisting of three pages, signed it with my own hand, made the necessary corrections and confirmed them with my initials.

I declare upon oath that all the facts contained in this affidavit are true to my best knowledge and belief.

Munich, 12 January 1948.

(signed:)Karl SCHREYER

Document Roll 140.

This is to certify the authenticity of the foregoing signature of Herr Karl SCHREYER, business man in Starnberg, Fischhaberstr.9, which signature was made before me.

The identity of Herr SCHREYER was satisfactorily established by the presentation of his official identification papers, issued by the Landrat of Starnberg under No. B 79 290 on 30 September 1946.

Munich this twelfth day of January 1948.

(signed): Dr. Adolf MUEHLBAUER,
Deputy for Notary Dr. Josef EDEL.

(seal): Dr. Josef EDEL.

Notary in Munich.

RM 4.-
Sales Tax -.12 RM

RM 4.12

Affidavit.

I, Hans RECHENBERG, born 20 September 1910, till 1939 Senior
the
Governmental Councillor in Reich Ministry of Economics, residing
at Kyreinstrasse 9, Bad Toelz, having been warned that I render
myself liable to punishment if I make a false affidavit do hereby
declare on oath that my statements are the whole truth and were
made to be submitted as evidence to the Military Tribunal VI in the
Palace of Justice, Nuernberg, Germany.

I have known Dr. Heinrich GATTINEAU personally since the nineteen
twenties. From occasional personal conversations, and even more
from the developments prior to 1933 I know that Dr. GATTINEAU,
in the first place owing to his position in the economico-political
section of the I.G. and secondly out of political conviction,
belonged to those circles which wanted to prevent a seizure of
power by the NSDAP in favour of a strong "bourgeois" government.
It was in this direction that Dr. GATTINEAU was also politically
active prior to 1933, concentrating, however, most of his efforts
on work in the economic sphere.

I recall only one case from the period previous to 1933 when
Dr. GATTINEAU committed himself politically: the Reich-presidential
election of 1932. He strongly backed the BRUENING-nominated
candidacy of HINDENBURG - whether at an order given him by the IG
or out of personal motives I don't know - and tried, among other
things, to induce the German students' associations to make a
public declaration for HINDENBURG. I also remember that Dr.
GATTINEAU and the I.G. were publicly attacked (also in newspaper
articles) by National-Socialist circles because of their stand
against HITLER's candidacy.

I don't know anything of Dr. GATTINEAU having been politically
active after 1933. In 1933 and in the following years I frequently

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met him, and, of course, we also discussed politics during those meetings. I was surprised to learn during a chance meeting that Dr. GATTINEAU had been appointed as honorary SA-leader. When I questioned him, having regard to his publicly avowed anti-HITLER attitude prior to 1933, the purport of his reply was this: In the first months of 1933, he said, all sorts of SA agencies started unorganized and unrestrained collecting drives in the plants. This gave rise to a desire on the part of the IG management to have these individual drives stopped, as they led to unrest in the plants. The Supreme SA Command was prepared to prohibit collections in the plant against payment of a round sum. As ROEHM had obviously been anxious to keep up the contact with the IG he, GATTINEAU, had been appointed honorary leader in the SA. He had obviously been elected, because in his capacity as Chief of the Press Office of the IG he was known to various SA people, because it had been part of his office to keep in touch with the press of all political shades.

Around the 30 June 1934 I learnt through personal enquiry in Dr. GATTINEAU's home - his wife expected her fourth baby - that he had been arrested by the SS on a charge of "conspiracy with the ROEHM-circle". At that time, being referent in the Prussian State Ministry, I had the possibility of checking on the correctness of the information by enquiring with the Gestapo in Berlin; I did so and the fact of the arrest was confirmed. What I was told amounted to this: Dr. GATTINEAU was said to have financed the "ROEHM revolt" with I.G. monies. To disprove this charge - which was an extremely dangerous one at that time - I used the same arguments which I stated in the foregoing to explain

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GATTINEAU's relationship with the SA. Whether or not these arguments appeared plausible enough to the Gestapo to prevent Dr. GATTINEAU's execution I don't know; the fact is that about at the same time HINDENBURG's order staying further executions became known. Whatever the reason was, Dr. GATTINEAU was released from detention shortly afterwards and deprived of his honorary rank in the SA. As he pointed out to me at our first meeting after that experience and in subsequent conversations, he kept out of any even ostensible, political associations and activities from that time on.

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At that time Party circles repeatedly attempted to attack Dr. GATTINEAU on political grounds. I remember one case, in 1933 or 1934, when a SS-leader and referent in the Ministry of Propaganda, BOGS (first name Alexander?) brought forward charges against Dr. GATTINEAU in letters to Ministerpresident GOERING, accusing him, among other things, of having used his position in the IG to sabotage GOERING's attempts to raise funds for the NSDAP in Sweden.

I have carefully read, and countersigned in my own handwriting, this affidavit consisting of three pages and I have made, and initialled, the necessary corrections.

I herewith declare on oath that the facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

Nuernberg, 15 January 1948

signed: Hans RECHENBERG

The above signature of Herr Hans RECHENBERG was given before me, Dr. Helmut DUERR, assistant of the defense counsel for the defendant GATTINEAU, and is herewith certified by me.

Nuernberg, 15 January 1948

signed: Dr. Helmut DUERR

- 40 -

Affidavit.

I, Max JUETTNER, born 11 January 1888, religion: Protestant, at present in the Court House Prison at Nuernberg, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the whole truth and were made to be submitted in evidence to Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

I was a member of the SA Supreme Command from 1 November 1933 till 1945.

I am therefore in a position to make the following statements:

In the summer of 1933, when I entered into relations with the then chief of staff ROEHM, Dr. GATTINEAU was SA leader; he was among the so-called honorary or L.V. leaders of the SA. As such he was entitled to wear the SA service dress, to show the insignia of the SA rank conferred upon him and to take his stand among the members of the SA-leader corps during representative ceremonies. These honorary and S.V. leaders did not possess any power in regard to command, organization, training and employment of the SA. Dr. GATTINEAU never exercised, or was able to exercise, such power. At no time did he possess authority of command within the SA, nor did he ever lead any SA units.

ROEHM was anxious to keep up contact with the IG, particularly in consideration of financial contributions. GATTINEAU never had the function of ROEHM's economic adviser

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nor was he regarded as such by any official agency, although it may be that ROEHM - as was his habit of doing with very many people - asked Dr. GATTINEAU for his opinion in some economic question at one occasion or the other.

I also know that GATTINEAU, like other SA-leaders on whom honorary SA ranks had been conferred by ROEHM himself, was arrested in the course of the events of 30 June 1934. As I learnt later on, he was saved from execution only by a lucky chance.

I have carefully read, and countersigned in my own handwriting, this affidavit consisting of two pages and I have made, and initialled, the necessary corrections.

I herewith declare on oath that the facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

Muernberg, 11 March 1948.

signed: Max JUETTNER

The above signature of Herr Max JUETTNER is herewith certified by me, Dr. Helmut DUERR, assistant of the defense counsel of the defendant GATTINEAU.

Muernberg, 11 March 1948.

signed: Dr. Helmut DUERR

AFFIDAVIT

I, Max JUSTITZ, born on 11 January 1888, of the Roman-Catholic faith, in the Nurnberg Court Prison at present, have been warned that I shall render myself liable to punishment if I make a false affidavit. I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nurnberg, Germany.

I was a member of the higher SS-staff from 1 November 1933 until 1945 and am therefore in the position to state the following:

I know the following about ROHM's attitude towards questions of the domestic and foreign policy.

ROHM followed a policy of conciliation with the Western Powers.

The establishment of a militia, which he envisaged, was to be carried out after a prior agreement with the Western Powers.

Parallel to the 100,000 men Army, this militia was to be created on the Swiss pattern in order to strengthen the defensive force of the Reich against the danger which threatened from the East.

The SA was to be the basic element of this militia. ROHM's associations with economic circles exclusively aimed at the procurement of funds for this militia, because no monetary means could be obtained from the Party or from the State as HITLER had not yet consented to ROHM's plan. In contrast to other agencies of the Party, ROHM advocated the cooperation of the trade unions

in the economic and social-politic life within Germany. He adopted a liberal attitude in the Church question. In consequence of this attitude of ROEHM, a pronounced estrangement took place between him and HITLER and influential Party agencies, in particular in 1934. Beyond any doubt, this fact played a decisive part in the violent death which was ROEHM's lot.

I carefully read and signed with my own hand this affidavit, consisting of one page, made the necessary corrections and confirmed them with my initials.

I herewith declare upon oath that all facts contained in my affidavit are true to my best knowledge and belief.

Munich, 11 March 1948

(signed): Max JUETTNER.

The foregoing signature of Herr Max JUETTNER is certified herewith by me, Dr. Helmut DUEHL, Assistant Defense Counsel for Herr GATTINEAU.

Munich, 11 March 1948.

(signed): Dr. Helmut DUEHL

University of Toronto
Toronto 5, Canada

Department of Physics

Dominion of Canada
Province of Ontario
City of Toronto

Seal: Arthur Bertram FENNEL
Notary Public Ontario

Arthur A. BRANT appeared before me on the 21st of October 1947
and having been duly sworn, certified under oath that the state-
ments made below are true.

signed: A.B. FENNEL
Notary Public

TO WHOM IT MAY CONCERN:

I, Arthur A. BRANT, born October 23, 1910 in Toronto, Canada, at
present in Toronto, Canada, have been duly warned that I shall
be subject to punishment if I give a false affidavit.

I declare under oath, my statement is true and was made to be
introduced as evidence before the Military Tribunal VI in the
Palace of Justice, Nuernberg, Germany:

This is to certify that I was a student at the University of
Berlin from 1934 to 1936 and that during this time Dr. Heinrich
GATTINEAU was well-known to me, since I was throughout my stay
a member of the sport club where he was president, and for the
earlier part of my sojourn lived at his house as his guest.

It was my decided impression that Dr. GATTINEAU was extremely
liberal in his outlook. Free discussion took place within his
house and among his guests. In the club to which he was patron
as well director, no political shadow passed. Only one member,
as I recall it, was decidedly connected with party organizations.
Two Jewish personages were among the membership and were not
subject to discrimination. I can very definitely and staunchly
vouch for the honorableness, liberalness and decency of this man
as to character and dealings. - 45 -

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I have carefully read this affidavit consisting of 1 page (in the original) and have countersigned it with my own hand; I have made and initialled the necessary corrections. I hereby declare under oath that the facts stated by me in this affidavit, to the best of my knowledge and conscience, are the whole truth.

signed: Arthur BRANT

signed: A.B.F.

Arthur A. BRANT
Associate Professor of Physics
University of Toronto

Consultant to:
Newmont Mining Corp. of New York City
L. J. LONGYEAR Corp. of Minneapolis
Ventures Limited of Toronto
McINTYRE Mining Corp. of Toronto
North Canada Mines, Toronto
Conwest Exploration, Toronto, and others.

AFFIDAVIT.

I, Karl-Heinz SCHEFFLER, born 13 August 1915, religion Protestant, profession: commercial employee, residing in Berlin-Zehlendorf, Peerenstr. 29, having been cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement corresponds to the truth and was made in order to be presented as evidence before the Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

I have intimately known Dr. Heinrich GATTINEAU for about 14 years, through our mutual athletic interests, as an enthusiastic and fair athlete during tennis and hockey games in the sports association of the "Zehlendorfer Wespen". Since 1933 he, as club leader, has considerably raised the athletic as well as the social level and has also known how to keep out political influences as far as he could.

I personally owe thanks to Dr. GATTINEAU for the fact that, in spite of my Jewish extraction (Mischling 1st degree), I was always able to carry on sports within this club, although in 1937/38 a member of the club, SCHWEIKERT, an SA Truppfuehrer, could not reconcile it with his political views to belong to this sports club together with a Jewish Mischling. In that case Dr. GATTINEAU unhesitatingly decided against the arguments of this SA Truppfuehrer with the comment that only athletic interests and capabilities were decisive in this sports club of the "Zehlendorfer Wespen" and not political or racial ones.

I have carefully read this affidavit consisting of one page and have signed it; I have made the necessary corrections and initialled them.

I hereby declare on oath that the facts stated by me in this affidavit

Document Book II GaTTI.EaU
Document GaTTINEaU No. 39
Exh. No.

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correspond to the full truth according to my best knowledge and belief.

signed: Karl-Heinz SCHEFFLER

I hereby certify the foregoing signature of the commercial employee,
Karl-Heinz SCHEFFLER, residing in Berlin-Zehlendorf-West, Beeren-
strasse 29, which was made before me.

Entered under No. 49, 1948, of the document roll
Berlin, 12 February 1948

signed: Georg GRAUL
Notary

Seal: Georg GRAUL
Notary in the district of the
Supreme Court of Judication

Compilation of Costs

(Fee regulations of 25 November 1935)
Value: 10,000.-- RM

Fees par. 144, 25, 39	8.-- RM
Sales tax	-.24 RM
total	8.24 RM

Stamp: Georg GRAUL
Attorney and Notary
Berlin-Zehlendorf-West
Beerenstr. 58

Affidavit.

I, Dr. Walter STEGMAIER, born 6 July 1911, religion Catholic, profession Dr. chemical engineer, residing in Munich-Egenhausen, Mauerkircherstr. 150, having been cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement is true and was made in order to be presented as evidence before the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

Statement:

Munich, 1 October 1946

I have known Dr. Heinrich GATTINEAU since about 1934 as a member of the club of the sports association "Zehlendorfer Wespen" Berlin-Zehlendorf. As club president and himself an active hockey and tennis player, Dr. GATTINEAU directed his activity only and solely, as a true sports enthusiast, impartially towards sports and abstained from any kind of political activity which was against his fundamental nature and beliefs. During club meetings I never heard him voice any narrow-minded Nazi propaganda. On the contrary, I noticed - knowing that Dr. GATTINEAU was a member of the Party - his democratic attitude and his respect for people holding different political opinions and for Jewish Mischlinge and club members. This alone made it possible that until the end of the war club members of Jewish extraction (such as Kalle SCHEFFLER, Dr. Rolf GOLLSCHMIDT) could remain active in the club and that neither Dr. GATTINEAU nor club comrades regarded or treated them as persons of a lower class. GATTINEAU politically and materially protected the politically leftist club member Hans von SCHNITZER, whose anti-Nazi remarks were proverbially known in the club, and he (GATTINEAU) emphasized H. V. SCHNITZER's mental, athletic, and personal

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qualities as the sole measure for his person.

Dr. GATTINEAU's attitude as club president gave the entire club the appearance of a non-political neutral Association and offered the individual member a haven far removed from all political spying.

I personally heard the best anti-Nazi jokes there and passed them on without running the risk of being imprisoned. In the club I did not see Dr. GATTINEAU wearing Party insignia or uniform, nor can I remember having seen any other club member in Party uniform, since, in any case, this would have caused unfavorable attention for

many. Dr. GATTINEAU was an eager promoter of international games and players. Thus I can remember that for a long time he tried to recruit the two Canadian ice hockey players, Mr. BRANDT and Mr. BEDFORD, for the club and sheltered them in his home. I personally, as former student at a liberal democratic world-famous boarding school "Schloss-Schule-Salem" at the Lake Constance, the director of which was the politically persecuted Jew Kurt HAHN, particularly noticed this cosmopolitan attitude of Dr. GATTINEAU, and this made my club membership easier for me, since I conformed with and was closely connected to particularly the English concept of sportsmanship by virtue of my many athletic games abroad. As a Salem student of long standing, I was brought up from childhood with the concept of an international agreement on athletics.

Ad personam I state that I am politically cleared and was not a Party member, nor did I work for the Party or pay dues.

Final clause:

I have carefully read this affidavit consisting of 2 pages and have signed it, have made the necessary corrections and initialled them.

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I hereby declare on oath that the facts stated by me in this affidavit correspond to the full truth according to my best knowledge and belief.

Munich, 25 November 1947

DR. WALTER STEGMAIER

signed: Dr. Walter STEGMAIER

Certificate of signature:

Document Roll No. 5670

I herewith authenticate the signature of Dr. Walter STEGMAIER, chemist in Munich, Meuerkircherstrasse 150, identified by presenting his identity card with photograph, issued in Munich by the US Army.
Munich, 1 December 1947

signed: Dr. EDEL, Notary

(Dr. Josef EDEL, Notary)
Administrator of the Notariate XVII, Munich

Seal: The Administrator of the Notariate 17 in Munich

Affidavit

I, Peter SCHAEVEN, born 1 November 1885, religion: Catholic, profession: Secretary-General of the CDU, (Christian-Democratic Union) residence: Cologne, Am Stadtpark 57, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the whole truth and were made to be submitted in evidence to the Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

I have known Herr Dr. GATTINEAU since 1928. He wanted to get into touch with me because as Secretary-General of the Cologne Center Party I was regarded by him as a suitable liaison man with this party, because in his capacity as chief of the press office of the I.G, it was one of his jobs to keep in touch with representatives of the various political parties. As far as I know, Dr. G. discharged this function in an unbiassed manner. He himself, as I know positively, was a supporter and sponsor of the Young Conservative Movement under the leadership of Herr TREVIRANUS. Herr TREVIRANUS was a supporter of the policy of Reich Chancellor Dr. BRUENING and endeavoured to impart the German Nationalist Party a tendency to the left. Dr. GATTINEAU not only declared himself in favour of this democratic group within the German Nationalist People's Party, but, as I know, incurred considerable financial obligations in its behalf during the 1930 electioneering campaign for the Reichstag. I do not think that Herr Dr. GATTINEAU was a supporter of National Socialist ideas. I know from a talk I had with him in Berlin-Zehlendorf at the time of General SCHLEICHER's chancellorship that he wished fervently that the government should act in the twelfth hour.

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At present I am Secretary-General of the Christian Democratic Union of the township and district of Cologne, politically not at all implicated, and I am only too glad to confirm that Herr Dr. GATTINEAU used his influence with the I.G. to save me who, at that time, lost all means of subsistence from falling into complete destitution and thus helped me to maintain a frank and independent attitude against National-Socialism.

signed: Peter SCHAEVEN.

I have carefully read and countersigned in my own handwriting, the above affidavit consisting of one page; I have made, and initialled the necessary corrections.

I declare on oath that the facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

Cologne, 2 October 1947

signed: Peter SCHAEVEN

Affidavit

I, Mathilde SCHIESSL, date of birth: 13 May 1898, religion: R.C., occupation: clerk, residence: Ludwigshafen on Rhine, Kreuzstrasse 32, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the whole truth and were made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice at Nuernberg, Germany.

As from 5 February 1942 I was employed with the A.G. Dynamit NOBEL in Pressburg as head of the wages office. In this capacity I had direct contact with our managing director, Herr Dr. Heinrich GATTINEAU as well as with the staff. Very early I noticed that Herr Dr. GATTINEAU was very popular with our employees, not only with the Germans, but above all with the Czechs, Slovaks and Hungarians. No matter whether it was a question of wages adjustment or some other matter concerning social welfare, he was always very fair and made no discriminations. Any worker without distinction of nationality knew that he could take his worries straight to his manager. It was Herr Dr. G. who raised the living standard of the employees either by procuring food or by adequate raises of wages. Moreover, he endeavoured to have the housing settlements of the plant, both those of the workers and the office staff, kept in order and steadily improved. It is necessary to emphasize these matters, because

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Herr Dr. GATTINEAU's time was taxed to the utmost by the care for the plant and by business trips. In Aschau where we were evacuated, incident to the military developments, I could note that there, too, people looked to our Herr Dr. GATTINEAU as a man ever ready to help and look after his subordinates. The employees were sincerely sorry when he left the plant.

So far as politics were concerned, there was no trace of a National Socialist attitude to be found in him, the less so as he would not be stopped from going to church every Sunday with his whole family, although church-going was frowned upon by National-Socialist circles. His greeting was always "Gruess Gott" (God be with you) or what other forms of salutation there were in use before the Nazis seized power.

My job in the wages office now and again brought me to the office of the Party Organization of the Germans Abroad. There I frequently had to hear the reproach that our managers were bad National-Socialists. They were accused of dodging payment of their contributions, and would have to be subjected to a check. Our firm, they said, ranked last so far as the political attitude was concerned.

As is known, in compliance with an order of the OKH, all plants essential for the prosecution of the war and the war economy had to appoint Counter Intelligence officers and deputies. When it came to the appointment of the deputy, Herr Dr. GATTINEAU at once declined when he was offered this position. I happened to be in Herr Dr. GATTINEAU's office in some other matter at that moment, so I was an ear witness.

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Finally, I was able to note that Herr Dr. GATTINEAU never took part in celebrations or in the May-Day procession.

Concerning myself:

I myself have never been a Party member, nor have any of my 4 brothers. One brother, the Jesuit Father Berthold HAUSSMANN, was taken to the Dachau KZ, and of this I possess documentary proof.

I have carefully read, and countersigned in my own handwriting, this affidavit consisting of 2 (two) pages, I have made, and initialled, the necessary corrections, and I declare herewith on oath that all facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

Ludwigshafen, 8 September 1947.

signed: Mathilde SCHIESSL/ widow.

The above signature, given by Frau Mathilde SCHIESSL, widow, nee HAUSSMANN, residing Ludwigshafen on Rhine, Kreuzstrasse 32, before me, Dr. Wolfgang HEINTZELER, Ludwigshafen on Rhine, Bruckstrasse 13 is herewith attested and certified by me.

Ludwigshafen on Rhine, 8 September 1947

signed: Dr. Wolfgang HEINTZELER

Attorney-at-Law

Affidavit

I, Dr. Heinrich GATTINEAU, at present at the Palace of Justice in Nuernberg, after having been cautioned that I render myself liable to punishment in case of a false affidavit, herewith make on oath the following deposition, voluntarily and without any coercion.

I was born on 5 January 1905 in Pucharest; I am married. Since January 1928 I have been an employee of the I.G. Farbenindustrie, at first as a scientific assistant to DUISBERG. In 1931 I became Chief of the Press Bureau to which a Referat dealing with commercial-political affairs was attached. Professor SELCK was in charge of the press bureau. From 9 September 1932 until the end of 1938 I was head of the Economic Political Section (WIPO) of the I.G. Farbenindustrie AG in Berlin NW 7, and since 1939 business manager of the AG Dynamit Nobel, Pressburg.

I was appointed head of the Economic Political Department because I had already previously directed 2 of the Referate, namely the Press Referat and the Referat for Commercial Policy, and because I had professional experience in the field of commercial policy.

The I.G. was producing synthetic gasoline in 1932. Interested circles had launched various strong press attacks against the German production of synthetic gasoline. Among these was also the NS press. BOSCH was interested in a discontinuation of those attacks.

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By order of Geheimrat BOSCH I requested Professor HAUSHOFER, whom I had known from my college time, to intercede with HITLER to receive both Dr. BUEFELISCH and myself. HITLER realized the importance of the German gasoline production and more or less promised the discontinuation of these press attacks.

From the time of my membership in the Oberland Association I know HINCKEL, Kulturwarter (in charge of cultural matters) of the NSDAP.

Towards the middle of 1933 I received the title of Sturmbannfuhrer for special purposes (that is honorary) in the Supreme SA Command, and at the end of 1933 I was promoted to Standartenfuhrer for special purposes. Thrice I saw ROEHM and talked to him about economic questions.

On 30 June 1934 I was arrested by the Gestapo because of my being a member of ROEHM's staff; when I was released, I quit the SA. ROEHM placed great value upon establishing connection with the I.G. because in this way applications for gifts for the SA could be put before the I.G. management. The most substantial gift of about RM 250,000 for overcoats for needy Sa-men fell in the winter of 1933/34. Such applications, so far as they exceeded the RM 2,000 margin, I forwarded to Professor SELCK or Geheimrat SCHMITZ.

Smaller payments, such as, for instance, the monthly subsidies of RM 1,000 which were paid by JUNK from 1932 to 1934 to the Economic Political Press Service, a private enterprise, came from funds of the Press Bureau

(page 3 of original)

and required Professor SELCK's approval. These payments were in connection with the I.G. business propaganda.

State Secretary FUNK summoned in mid-1933 a circle of experts for foreign affairs (so-called F-circle). This circle was made up of representatives of industry, among others Herr von WINTERFELD (Siemens); Dr. HAHN (Mitteleuropäischer Wirtschaftstag); O.C. FISCHER, Dr. DIEN (Kalisyndikat); Dr. RUPERTI (Allianz Versicherung); Dr. ILGNER and myself (I.G. Farben). This circle of experts made it its task to safeguard the export interests and to prevent any injuries to good-will. For this purpose its members, on the occasion of the few discussions which took place at the Ministry of Propaganda, opposed measures taken in Germany which might be detrimental to Germany's reputation abroad, such as, for instance, the boycott of Jews, the change of flags; journeys of foreign journalists to Germany which took place during that time were, as far as I know, managed by the German Automobile Club. The circle of experts was dissolved after the 30 June 1934.

After HITLER came into power, Geheimrat SCHMITZ became a member of the National Supervisory Council for the "House of German Art", and a member of the Reichstag. Professor SELCK joined a local unit of the SS-Cavalry in Frankfurt. Members of the Vorstand and leading persons of the I.G. Farben were appointed war economy leaders.

(page 4 of original)

The task of the Economic Political Section, which was created in 1932, was to maintain contact with the proper government offices and economic associations for the individual sections of the I.G., in particular as far as matters of trade policy were concerned which touched upon I.G. business interests. Up to 1935, the press bureau also was part of the Economic Political Section. It was the task of Kommerzienrat WAIBEL to maintain contact with the Auslandsorganisation (foreign organization of the NSDAP) of the NSDAP. Some I.G. executives abroad, very few, held simultaneously functions with the Auslandsorganisation. I.G. representatives abroad who were German citizens were - so I presume - controlled by the Auslandsorganisation to a certain degree. In Pressburg the Auslandsorganisation wished I.G. employees - so far as they were German citizens, - to participate in German activities of the Auslandsorganisation.

The institution of the I.G. liaison men was an idea of Dr. Max ILGNER. These liaison men were responsible to the Commercial Committee and were appointed by the Commercial Committee upon the recommendation by the head of the sales combines or by Dr. ILGNER. Their monthly reports dealt with currency matters, with Economic and political situation reports, with surveys concerning the industry of the respective countries, their production, etc. These reports were sent to the office of the Commercial Committee and were forwarded from there to interested quarters.

(page 5 of original)

In this way they also came to the Section for Political Economy (Volkswirtschaftliche Abteilung - VOMI) where they were further evaluated. The WIPO, too, received part of the reports in which it took an interest, that is to say those on economic questions of a general nature and on questions of trade policy.

In 1935 or 1937 State Secretary POSSE of the Ministry of Economics turned to the I.G. to ascertain what the production capacity of the I.G. was with regard to various synthetic products, such as, for instance, spun rayon, light metal, and synthetic gasoline, so as to be informed - as I presume today - of the possibilities in regard to the saving of foreign exchange, and, in an emergency case, in the sense of home defense.

I have carefully read this affidavit, consisting of five pages and signed it in my own hand.

I herewith declare on oath that the statements made in this affidavit are the truth to the best of my knowledge and belief.

Nuernberg, 24 March 1948.

signed: Dr. H. GATTINEAU

I certify that the above signature is that of Herr Dr. GATTINEAU, signed before me, Dr. Helmut DUERR, assistant defense counsel for the defendant GATTINEAU.

Nuernberg, 24 March 1948.

signed: Dr. Helmut DUERR

Document Book II GATTINEAU

Certificate of Translations

14 April 1948

We hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of Document Book II GATTINEAU.

Hanna Marie BIEBER, Civ. No. B-397 989, (Cover I-XII; 47-51)

.....

Gerhard FISCHER, Civ. No. 17 397, (pages 3-4; 10-12)

.....

Rosl GETREU, Civ. No. 45 672, (pages 16-21)

.....

Paul E. GROPP, Civ. No. B-397 975, (pages 8-9; 13-14; 32-37; 43-44)

.....

Alfred OBERLAENDER, Civ. No. 20 192, (pages 38-42; 52-56)

.....

Frederic L. PERA, Civ. No. B-397 943, (page 5)

.....

Ursula E. RUDMAN, Civ. No. (pages XIII; 1-2; 22-24; 57-61)

20 130

.....

Case 6
Defense

TRIBUNAL VI

CASE VI

Document Book III

for

Dr. Heinrich GATTINEAU

submitted by

Rudolf A SCHENAUER

Defense Counsel.

Long



I n d e x
of Document Book III
for Dr. GATTINEAU

Doc: No.	Exh: No.	Description of Document	Page
44		Cross-examination of Dr. Botho MULERT by Dr. REINTGES on 7 October 1947, page 696 ff, German transcript. Witness, who as official of the Reich Ministry of Economics was in charge of the negotiations on mineral oil, declares that nothing had been mentioned by his superiors or National-Socialist offices or personalities to the effect that HITLER or his party had given the I.G. any pledges or promises, concerning benzine-hydrogenation, which were to be taken into consideration. Neither had the representatives of the I.G. referred to any such promises during the negotiations.	1
BUEBESCH 75		Affidavit by Dr. Hermann PETRI. Witness, a former member of the Reich Ministry of Economics declares, with regard to the negotiations on the benzine agreement of 1933: "I did not notice that the NSDAP brought influence to bear on the negotiations. The negotiations and jobs connected with them were carried on in a matter-of-fact-way without interference on the part of National-Socialist offices or personalities. The way matters were handled, length of negotiations, and stubbornness of the contracting parties prove clearly that a	6

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political agreement between I.G.
and NSDAF did not exist.

BUETEFISCH Affidavit by Dr. E.R. FISCHER. 8
196

Witness, from 1932 until 1945 I.G. sales manager for mineral oil products, confirms that certain people and part of the public opposed the production of synthetic benzine: "The 'Reich Association Crude Oil', founded by the importers, tried to mobilize the German press against the production of synthetic benzine. Simultaneously, the association intervened with Reich authorities and, among other things, pointed out to them the loss of tariffs on mineral oil which had to be expected. Similar attempts were made by the automobile industry. The press of the NSDAF, then already influential, participated in these attacks against hydrogenation. That press was not favorably inclined towards the I.G., as an enterprise of big capital, anyway."

Witness goes on to mention in this connection the exploratory visit of Dr. BUETEFISCH and Dr. GATTINEAU to HITLER: "Dr. BUETEFISCH, however, never told me anything of pledges or promises given by HITLER or his party concerning benzine-hydrogenation, although

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something like that could have been very well exploited in sales advertising. Neither Dr. DUETEFISCH nor any other representative of the I.G. used such an argument when the price guarantee for Louisa benzine was negotiated, later on culminating in the conclusion of the benzine guarantee agreement between the Reich and the I.G."

45

Affidavit by Ingeborg KUHNKE.

13

Witness, from 1 January 1933 until 31 December 1935 secretary of Dr. GATTINEAU, describes the political attitude of Dr. GATTINEAU. On the visit of Dr. GATTINEAU and Dr. DUETEFISCH to HITLER, she states among other things: "Dr. GATTINEAU could not have attached particular significance to that visit, since neither on the occasion of the so-called assumption of power nor later did he mention that visit in my presence. Had he thought differently of the visit, he would have doubtlessly talked about it in view of the prevailing mood in Germany at that time and the relation of mutual trust between us. As far as I remember, Dr. DUETEFISCH was at that time Prokurist with the title of Director and Dr. GATTINEAU was not even Prokurist. Thus, based on my knowledge of the I.G.-organization, I must assume that the I.G. itself attached only limited importance to that conference."

Doc. No.	Exh. No.	Description of Document	Page
SCHMITZ 6		Affidavit of Dr. Hermann BUECHER. The witness, formerly business managing member of the praesidium of the Reich Union of German Industry, made the following declaration a propos of the development of the Leuna-Gasoline: "During the years in question I had many conversations with Carl BOSCH, and I witnessed all the phases of this struggle. To BOSCH it mattered less in the synthesis of gasoline, whether or not Germany would become independent of the world-market through the success of the synthesis, whether the process would have a great political significance or not - for him the synthesis was an international technical-economic problem. He was ready to assume every financial and economic risk, in order to prove the correctness of his view."	15
SCHMITZ 4		Affidavit of Dr. Wilhelm Ferdinand KALLE The witness states as follows with reference to the conspiracy claim of the Prosecution: "Even if the particulars of the events of that time are not known to me, I can nevertheless state of a certainty owing the well-known fundamental attitude of Carl BOSCH, that I consider it out of question that he was ready to cooperate with HITLER whose personal and political attitude he	17

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		rejected one hundred percent, even at the expense of the realization of his hydrogenation plans."	
46		Interrogation of Dr. Heinrich BUSTEFISCH NI-8637 (Excerpt)	19
		This interrogation contains particulars regarding the HITLER visit and the development of Launa-gasoline.	
BUSTEFISCH 31		Affidavit of Dr. Botho MULERT	24
		The witness, one-time member of the Reich Ministry of Economy, states with reference to the negotiations concerning the gasoline contract of 1932: "As far as I can remember, the negotiations were the whole time consistently conducted only from purely economic points of view on both sides. In any case I never had the impression during these negotiations, that the drawing up of the contract was determined in formal or factual aspects by factors other than the purely economic-political reasons presented, which at the time led to the start of negotiations."	
47		Affidavit Hans RECHENBERG.	26
		The witness, who had been Oberregierungs- rat in the Reich Ministry of Economics, confirms the attacks of various National Socialist newspapers in 1932 against the I.G. and states, that a part of the	

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		attacks was also directed against the "turning over of a monopoly in Germany to this concern in the manufacture of synthetic gasoline" In conclusion he lists some of these Party newspapers insofar as he still recalls them.	
48		Excerpt from the Voelkische Beobachter of 10 February 1932.	28
		"Doubtful economic impetus, interest of the parties concerned in standard fuel."	
		This excerpt from an official Party organ presents such an attack against the gasoline production of the I.G.	
49		Affidavit Hans RECHENBERG.	29
		The witness describes the relation between the I.G. and the NSDAP". In addition to the categorical opposition to trust- and combine formation, direct targets were provided by individual economic measures of the I.G., among others also the private capitalistic utilization of gasoline hydrogenation which was then in its initial stages."	
		The first mention I heard of a so-called conspiracy of the I.G. with HITLER or with the NSDAP, respectively, came through the publications of the Nuernberg charges. Every National Socialist before and after 1933 would have indignantly repudiated such a statement at that time. As far	

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		<p>as the HITLER-visit of Dr. GATTINEAU is concerned, the witness states the following: "In spite of my close personal friendship with Dr. GATTINEAU the latter never told me a word about his visit to HITLER in the Fall of 1932. Even when discussing his repeated personal difficulties with personalities and offices of the NSDAP Dr. GATTINEAU never mentioned a word about his visit to HITLER, although, at that time, such a mention would not only have relieved him of difficulties, but would also have opened up many avenues to him."</p>	
50		Affidavit Karl Heinrich HEDRICH.	31
		<p>The witness comments in detail on the statement of Prosecution Witness Dr. Werner HAGERT, whose superior he was from 1939 to 1945, and he refutes a part of the latter's statements. With reference to the relation between the I.G. and the NSDAP the witness states that the I.G. was in no wise regarded as an institution functioning in the sense of the National Socialist order, but that, on the contrary, there were being entertained considerations to socialize the enterprise.</p>	
51		Excerpt from the Volkischer Beobachter of 28 June 1932: "The foreign rule over German economy and its dangers."	36
		<p>This article is one of the publications issued by the National Socialist Press against the I.G. and</p>	

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similar industrial enterprises.

52	Excerpt from the Voelkischer Beobachter dated 11 March 1932: "I.G. Farben and Oppau."	38
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Also in this article, attacks are made on the I.G.: "The chiefs of the individual I.G.-plants are not to be made responsible for the course of the I.G.-administration, since they can perhaps hardly do something against the influence of international financiers. However, they, too, do apparently conceive their task somewhat curiously at times.

The top management of the I.G. regards these differences of local managements with interest and with apparent inward satisfaction. According to every indication they make use of an opportunity of shutting down German plants in order to allow the money to "function" in other countries which are less restless at the moment. Thus, as it were, the individual plant managements would perform the very work of international contractors, whether consciously or unconsciously, does not matter...."

53	Affidavit of Ernst Wilhelm BOHLE.	40
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The witness, former chief of the Auslands-organization of the NSDAP, confirms that he had met Dr. GATTINEAU only once - in connection with the Kiel week - and that he did not maintain either personal or official contact with him.

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Doc. No.:	Exh. No.:	Description of the Document	Page
54		Affidavit of Dr. Heinrich GATTINEAU, including diagram on the cost development of the WIFO. Dr. GATTINEAU confirms the correct use of the words taken from Prosecution document NI-10923 on the costs of the central finance administration and the WIFO during the years 1932 - 1933, as shown by the attached diagram.	41
ILGNER 45		Affidavit of Dr. Jost TERHAAR. Witness describes the activity of the WIFO which acted on orders "to maintain, as liaison office, contact between the commercial departments of the I.G. sales organization and the governmental office in charge of trade agreements, as well as the corresponding channels of the so-called self-administration of productive economy." Subsequently he mentions the individual orders the WIFO had to carry out.	43
55		Cross examination of Prosecution witness KRUEGER by attorney ASCHENAUER on 29 October 1947, pages 3010 - 3013 of the German transcript. Witness explains the activity of the WIFO as auxiliary to the sales organizations and confirms that there was no connection between the establishment of the WIFO and National-Socialist assumption of power.	46
56		Affidavit by Dr. Heinrich EICHNER.	50

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Doc. No.	Exh. No.	Description of the Document	Page
		<p>Witness, who was a colleague of Dr. GATTINEAU in the WIPO, describes the political attitude of Dr. GATTINEAU and states among other things: "Although Herr Dr. GATTINEAU knew since October 1934 that in April 1933 I had lost my position as scientific assistant at the Muenberg Commercial College because of my anti-National-socialist attitude, he helped me on without regard to my still existing hostile attitude towards the Third Reich. During the whole time, I never had the impression that Dr. GATTINEAU was a convinced National-Socialist."</p> <p>Witness finally mentions the activity of the WIPO and goes into the M-problem, under which the deferment of personnel of the sales associations was dealt with.</p>	
57		Affidavit of Hans SCHAEVEN.	53
		<p>Witness, who worked for many years under Dr. GATTINEAU states concerning the political attitude of his former boss: "Among his close colleagues, he was pronounced and frank in his criticism of National-Socialist measures, and he would comment on particularly brutal or foolish acts of the National-socialist regime in a manner which left no doubt as to his negative attitude. I was together with Dr. GATTINEAU nearly every day, and</p>	

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I was always under the impression that he rejected HITLER's methods for reasons of a political and economic nature as well as for moral reasons."

Witness then tells of individual cases of members of the resistance movement whom Dr. GATTINEAU supported under personal risks. On the activity of the press office he states:

"As chief of the I.G. press office (since 1 November 1931), Dr. GATTINEAU had, in the name of the firm, to maintain contact with the entire German press. This liaison activity was restricted to guaranteeing an accurate journalistic treatment of scientific and economic I.G. problems by organs of information and enlightenment. As this circle of contacts consisted of representatives of the entire press, it naturally included also representatives of the NSDAP-press. In the time prior to 30 January 1933, they did not, however, hold any privileged position."

Concerning the knowledge of Dr. GATTINEAU about impending political actions, witness states:

"Never did I gain the impression that he knew, for example, of the impending annexation of Austria, or about the intention of authoritative Nazi-circles to wage a war of aggression. Dr. GATTINEAU had not been deferred prior to the outbreak of war and, therefore, had to join up."

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Doc. No.:	Exh. No.:	Description of the Document	Page
53		Affidavit of Liselotte von ZUKOWSKI. Witness who was first secretary of the WIPO describes the political attitude of Dr. GATTINEAU and, among other things, an incident with GOERING. Witness also confirms that the M-Referat dealt with the question of deferring personnel of the sales associations. Witness also confirms that, according to her knowledge, Dr. GATTINEAU did not take part any more in the meetings of the advertising council after the outbreak of war.	57
59		Affidavit of Dr. Curt DUISBERG. Witness, formerly chief of the Z.A.-office, makes statements on the establishment of the WIPO on 7 September 1932, and he confirms that after 30 June 1934, the day Dr. GATTINEAU was arrested by the Gestapo, Dr. GATTINEAU's position was changed. He then goes on to describe the tasks of the WIPO and states that Dr. GATTINEAU was not a member of the working committee (Arbeitsausschuss).	60
60		Cross examination of Guenther FRANK-FIHLE by Dr. BACHEM, 13 October 1947, page 1941/42 of the German transcript. Witness describes the activity of NW-7 of which the WIPO was a section, and he confirms that the auxiliary functions which had to be carried out by I.G. Berlin NW-7 were exclusively the result of I.G. business expediency.	63

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Doc. No.	Exh. No.	Description of the Document	Page
61		Affidavit of Dr. Felix EHRMANN.	65
		The witness who was employed with the economic group chemical industry declares that as far as he knows the Economic Political Department did not carry out any espionage or political propaganda. The witness does not know anything about membership, on the part of Dr. GATTINEAU in the South-Eastern European Committee of the economic group Chemical Industry.	
62		Affidavit of Dr. Albrecht HOFFMANN.	67
		The witness who worked in the Chemistry-Referat of the Reich Economic Ministry from 1934 until 1945 describes the activity of the WIPO in its relations to the Reich Economic Ministry. "The WIPO conveyed to the Reich Economic Ministry the wishes and requests of the individual sections and sales associations of the I.G. after any conflicting interests which might have existed within the I.G. were reconciled; conversely the WIPO conveyed the wishes and requests of the Reich Economic Ministry to the competent agencies of the I.G. Thus the WIPO acted as an intermediary welcome to the Reich Economic Ministry in view of the size of the I.G. and its great variety of subdivisions, and very frequently relieved the Reich Economic Ministry of the necessity of carrying out lengthy negotiations with agencies of the I.G."	

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Doc. No.	Exh. No.	Description of the Document	Page
63		Cross-examination of Dr. GORR by Dr. HOFFMANN on 24 October 1947, page 2702/03 of the German transcript. The witness confirms that the Vermittlungsstelle W and the WIPD worked separately during the time up to 1938, and that no continuous cooperation took place apart from very few individual cases.	69
ILGNER 47		Affidavit of Dr. Guenther GORR. The witness who was in charge of branch II of the Vermittlungsstelle W deals in a detailed way with the relations between Vermittlungsstelle W and the WIPD and confirms that this relationship was only an occasional one.	70
64		Cross-examination of Dr. Guenther FRANK-FAHLE by Dr. HOFFMANN, on 13 October 1947, page 1980/81 of the German transcript. The witness declares that the treatment of the M-question consisted in the greater part of dealing with matters of deferment (UK Stellungen).	72
65		Cross-examination of Gustav KUEPPER by attorney HOFFMANN on 13 October 1947, page 1929 of the German transcript. The witness confirms that within the I.G. matters of deferment were treated in accordance with the purely objective aspects of each case and not according to political aspects.	73
66		Cross-examination of Gustav KUEPPER by Dr. V. KELLER on 13 October 1947, page 1927/28 of the German transcript.	74

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Doc. No.	Exh. No.	Description of Document	Page
		The witness reports on the I.G.'s efforts to solve the M-problem in such a way that as much personnel as possible should be deferred from service in the Wehrmacht.	
67		Cross-examination of Gustav KUEPPER by Dr. HENZE on 13 October 1947, page 1925/26 of the German transcript.	75
		The witness states that the expression M-question (Job-question) is incorrect in view of the way in which this task was carried out.	
ILGNER 158		Affidavit of Dr. Ernst HACKELMANN.	78
		The witness, a former member of N W - 7, describes the Organization Joy and Work and declares in this connection that it was attempted to induce the I.G. to play a part in this office but that this never happened. He states the detailed reasons why the I.G. was to have been induced to cooperate in just this type of work and states that this organization was not of a 5th column nature and did not make any war-like preparations. Finally the witness declares that the I.G. liaison men, whose activity he describes in detail, were not to be considered as espionage agents.	
ILGNER 69		Affidavit of Wera SCHWARTE.	86
		The witness who, from 1935 to 1944, was the secretary of Admiral CANARIS, the Chief of the Office of Foreign Counter-Intelligence, testifies that	

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she did not gain any knowledge about close connections between the I.G. and Admiral CANARIS or about any connections between the gentlemen of the I.G. and Admiral CANARIS, although she had a good knowledge of who comprised Admiral CANARIS's circle of acquaintances.

ILGNER
67

Affidavit of Dr. Ernst Justus RUPERTI.

87

The witness who was active in the economic intelligence service in the OKW states in connection with the I.G.: "None of the mentioned gentlemen (his superiors in this agency) succeeded in inducing the I.G. to take part in the economic intelligence service; the understandable attitude of all the large concerns which worked abroad was that a connection with the intelligence service was to be avoided in view of its disreputable nature."

Order for making corrections filed in Doc. Bk. I
after the Index.

Certificate

I certify that all the documents contained in
this document book correspond verbatim to the
documents submitted to the Tribunal.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER

Defense Counsel for the Defendant GATTINEAU

CROSS-EXAMINATION

of Dr. Botho MULERT by Dr. REINTGES

of 7 October 1947

Page 1495 ff. (German transcript)
- page 1700

Q: Is it true, according to your recollection Dr. MULERT, that the consultations between the Reich Ministry of Economy and IG Farben about a probable guarantee contract for gasoline took place about the beginning of 1932?

A: I am not able to tell you the exact date. In spite of all efforts, I can no longer reconstruct this matter completely to answer the question with yes or no. According to what I remember, it must have been at the beginning of 1932, at the latest in the middle of 1932.

Q: In your affidavit NI-9477 you say that the German mineral oil production at home was very low and quite inadequate for the rapidly growing demand in Germany so that Germany had to rely mainly on the imports from abroad. Then you say, and I quote: "The cost of foreign exchange which were to be used for this were among the most important." Is that to be construed to mean that this foreign exchange situation was the most important reason for the government in 1932 to begin negotiations with Farben about the gasoline contract?

A: It was one of the essential reasons. The other essential reason was the fact that Germany's dependence on foreign countries in fuel oils was considered too oppressing, quite apart from the foreign currency problem.

(page 2 of original)

Q: At the beginning of the negotiations?

A: Yes.

Q: Dr. MULERT, do you remember that this difficult situation with regard to foreign exchange existed already since 1930, and at that time already, it caused a control of foreign exchange to be instituted?

A: Yes.

Q: In connection with this, you point out in your affidavit that a tariff for imports of gasoline existed in Germany and that this tariff had the nature of a protective tariff for the synthetic gasoline being produced in Germany at the time. Is it correct, Dr. MULERT, that this tariff always remained in existence in the subsequent period and that from 1931 to 1937 it was not abrogated or changed and that after 1937 it was increased?

A: The tariff was never lowered, and the increases of the tariff which were repeatedly made I do not remember at the moment.

Q: It is not necessary.

A: That what you say is true.

Q: Dr. MULERT, you have just stated that, as far as you remember, the negotiations for the contract began early in 1932, at the latest middle 1932. The contract itself was signed in December 1933 as you know and the negotiations then took a comparative long period of time. The National Socialist seizure of power occurred during that time. In the time

(page 3 of original)

after the Nazis took power, did your superiors or National Socialists agencies or persons tell you anything about the fact that some promises or assurances were made by HITLER or his Party to Farben in reference to gasoline hydrogenation and that you had to take that into account?

A: No Sir.

Q: Is it true, Dr. MULERT, that the negotiations for the contract were essentially carried for Farben by Dr. E. R. FISCHER?

A: From the beginning of 1933 on, I can confirm that. Before 1933 I no longer remember.

Q: Did Dr. FISCHER or some other representative of Farben refer to an alleged assurance or promise of HITLER's and his Party in these negotiations?

A: No.

Q: In your affidavit you, furthermore, state what commercial and economic aspects from the part of the Reich on one hand, and Farben on the other, were favoring factors for the conclusion of this agreement. Is it true that, as far as you know the situation, both parties were motivated only by these economic and commercial aspects for carrying on these negotiations and for the eventual conclusion of this contract?

A: During the entire time of negotiations I was of that impression at any rate.

(page 4 of original)

Q: Dr. MULERT, you will know from your own experience that the Reich was very careful to make sure in the negotiation and conclusion of such agreements that its own financial and other interests were being taken into account as best as possible and from your official work with Farben you will, furthermore, know that Farben also strove to represent and safeguard its interests to the best of their ability. Is it true, Dr. MULERT, that the Reich and Farben also in the present case with great tenacity and thoroughness endeavored to assert their respective interests?

A: Yes, that is the reason why these negotiations took such a long time.

Q: In your affidavit you summarize the contents of the agreement and say that the Reich agreed to cover a possible deficit which might arise from the synthetic production of gasoline by Farben and that, on the other hand, Farben would have to turn over excesses from synthetical production to the Reich. Do you know this contract was very unfavorable for Farben?

A: Yes.

Q: Is it true that the Reich Ministry of Economics and you personally considered this contract with Farben as one of the most favorable for the Reich which you ever concluded?

(page 5 of original)

A: I would not use the word "advantageous" here. It was not the aim of such contracts to make money for the Reich. If larger amounts were made available to the Reich it was a fact which we did not count on in the beginning ourselves, just as little as the Farben people.

Q: But you considered it one of your best contracts, didn't you?

A: I would have had no misgivings on my part to transfer this contract to a more sound basis for Farben because, as I said before, this was not the purpose of the contract.

I hereby declare that the above document is a literal excerpt from the official transcript of 7 October 1947, Page 1696 ff.

Suornberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel

A F F I D A V I T

I, Dr. Hermann PETRI, residing at Burghaus Stockum at Vennheide via Anrath, after having been duly warned that I make myself liable to punishment if I make a false affidavit, declare under oath that my statement is true and is made in order to be submitted as evidence before the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

Beginning 1927 I worked with the Reich Ministry of Economy, as of 1929 in the mineral oil industry, from 1932 until I resigned in 1935 as official in charge of office Chemistry as the closest associate of then Ministerialrat Dr. MULENT. I did the preparatory work for the guarantee agreements for the production of synthetic gasoline.

.....

At any rate, I for one did not observe that the NSDAP exercised any influence on the negotiations. The negotiations and work were carried out objectively and without any interference by National Socialist agencies or persons. The procedure, duration of the negotiation and the intransigence of the contracting parties prove unequivocally that a political agreement did not exist between I.G. Farben and the NSDAP.

.....

signed: Dr. Hermann PETRI.

Document Registry No. 77 for 1948.

I hereby officially certify the signature given before me by Herr Doktor Hermann PETRI, department chief of the Duesseldorf Chamber of Industry and Commerce, residing

Document Book III GATTINEAU
GATTINEAU Doc. No. ...
Exh. No.
(BUSTEFISCH Document No. 75)

(page 2 of original)

in Duesseldorf, Geibelstrasse 19, formerly at Burghaus Stockum
at Vennheide via Lurath. I ascertained the identity by the
Identification Card No. AY 150 385 - JWE presented to me.

Duesseldorf, 30 January 1948.

The Notary:

signed: GONNELLA.

Stamp: Robert GONNELLA.

Notary in Duesseldorf.

Computation of costs.

Value not fixed RM

Fee, according to Art. 144, 26, 39 of
Fees Regulation RM 4.--

Additional fee accord. to Art. 153, 52
of Fees Regulation RM -.12

Turnover tax
RM 4.12

signed: GONNELLA.

This is a verbatim copy of
Document Due 75

Nuernberg, 9 February 1948.

(signed): Dr. Hans FLAEBCHSNER

.....
Dr. HANS FLAEBCHSNER.

(Notary Stamp)
Dr. Fritz VOSIER
Aargau Notary

A F F I D A V I T

I, Dr. Ernst Rudolf FISCHER, residing in Baden near Zuerich, Parkstrasse, having been duly warned that I make myself liable to punishment if I make a false affidavit, declare under oath that my statement is true and was made to be submitted as evidence to the Military Tribunal in the Palace of Justice, Nuernberg, Germany.

1. I was born in Naumburg/Saale on 4 May 1897, attended the Realgymnasium there until my graduation, served in the World War from 1914/1918, thereafter studied law and in 1922 was employed in the Chemical Factory Griesheim-Elektron (Chemische Fabrik Griesheim-Elektron). After this firm was absorbed into the I.G. Farbenindustrie A.G. I was employed as a Prokurist up to the middle of 1932 in the Main Accounting Office of the I.G. in Frankfurt am Main. From 1932 to 1945 I was sales manager for the Mineral Oil Products of the I.G.

2. In the middle of 1932 I was requested by Professor BOSCH and Professor KRAUCH to join the Deutsche Gasolin A.G. as a member of the Vorstand, which was in charge of sales for Leuna gasoline. At that time I was informed that it had been decided to continue the production of Leuna gasoline at a minimum figure of 100,000 tons per annum. I then became a member of the Vorstand of the Deutsche Gasolin A.G. in October 1932.

In this position I had a great deal to do with the technical and industrial bottle-necks which were present at that time in the production and sales of Leuna gasoline.

(page 1 of original, cont'd)

It is true that ever since 1932 the I.G. hydrogenation process had been advanced to a mass-production stage. However, its practicability had not yet been assured. It had been possible to bring down the costs of production to a considerable extent, but a further decrease was still necessary. Essentially, however, this reduction amounted only to bringing about changes in the average costs of production.

(page 2 of original)

On the other hand, the nature of the proceeds was uncertain, as was clearly brought to light by the price war with the Russians of a few years past.

3. To these difficulties was also added the continually increasing opposition of interested parties and of a part of the public, concurrent with the augmented production of synthetic gasoline. The "Erdoel-Reichverband" (Reich Petroleum Federation), which had been established by the importers, attempted to mobilize a press campaign against the production of synthetic gasoline; at the same time it approached the Reich authorities and among other things called their attention to the anticipated decline in mineral oil tariffs. Similar efforts were attempted by the automobile industry. The already influential press organs of the NSDAP, which in any event was not favorably disposed to the I.G., which to them represented a big business enterprise, also participated in these attacks against the hydrogenation program.

The director of I.G. at that time, Professor BOSCH, decided therefore to entrust the ^{press office} ~~public relations department~~ of I.G. with the task to refute the arguments of their adversaries, which were in part quite void of any objectivity, through technical and industrial enlightenment with respect to gasoline hydrogenation. This took form, among other things, through extending invitations to representatives of the press to inspect Louisa; also suitable publicity matter was compiled and instructive information was provided the representatives

of the many parties. Not until some time during 1933, on the occasion of a discussion with Dr. BUETEFISCH, did I learn that in connection with this matter a visit had also taken place in autumn of 1932 with HITLER. As Dr. BUETEFISCH explained to me at that time, he had been to see HITLER, together with Dr. GATTINEAU, upon the request of Professor BOSCH. Like all actions at that time, the visit had as its purpose to put an end to the public campaign against the gasoline hydrogenation program.

(page 3 of original)

In his capacity as the expert for the gasoline hydrogenation program, Dr. BUETEFISCH supplied the necessary technical and industrial clarification, whereas Dr. GATTINEAU acted as the ^{press office} ~~public relations~~ man for I.G.

Dr. BUETEFISCH was acquainted with my concern with respect to the competition struggle with the other large petroleum companies and we often discussed the very subject of the publicity so successfully carried out by the Benzol Federation (BV) regarding "Fuels from German coal" with respect to similar publicity ideas for Leuna gasoline. However, Dr. BUETEFISCH never informed me of any guarantee or promise on the part of HITLER or his party regarding the gasoline hydrogenation program, although such an expression could have been favorably exploited in the sales campaign. Similarly during the negotiations concerning the proceeds guarantee for Leuna gasoline, which later led to the conclusion of the gasoline guarantee agreement between the Reich and I.G., such an argument was never brought forth either by Dr. BUETEFISCH or by any other representative of the I.G.

4. In 1932 negotiations concerning a proceeds guarantee for Leuna gasoline between the Reich Ministry for the Economy and the I.G. were taken up. This proceeds guarantee was indispensable for a further extension of the hydrogenation plant of the I.G. in view of the conditions as described above. On the other hand the Reich strived above all, because of savings effected in foreign currency, to increase German gasoline production. Such negotiations were part of the development occurring at that time. Because of the sales and proceeds of their products, the Benzol and Distillers industry

(page 3 of original, cont'd)

had already conducted negotiations with the competent Reich authorities. Both industries had achieved satisfactory results in this respect. Therefore, it was natural that I.G. and the Reich should enter upon such negotiations in 1932. After I had become a member of the Vorstand of the Deutsche Gasolin A.G. and sales manager for the Mineral Oil Products of the I.G., I took charge at the beginning of 1933 of these negotiations for the I.G.

Following the seizure of power by the National Socialists a situation developed in the spring of 1933 which became extremely

(page 4 of original)

threatening not only for the negotiations with the Reich but for the gasoline hydrogenation program as well. At that time it was known that the State Secretary in the Reich Ministry for the Economy, Gottfried FEDER, contemplated the creation of a large refinery industry for the refining of imported crude oil in Germany. Had this plan been realized, there would have been no place for gasoline hydrogenation, at least no room for any further extension. FEDER's plan, which was actively represented, was not dropped until after it was proved unstable for technical reasons as a result of a close examination by the competent offices.

The negotiations between the Reich and the I.G. then led in December 1933 to a conclusion of the gasoline agreement.

The contents of the agreement was determined by the point of view that on the one hand the Reich would be given free rein in its future tariff and tax policy in the mineral oil field, and on the other hand that the private enterprise character of the I.G. production would not be impaired. For this purpose, a sale and price guarantee by the Reich seemed the most suitable at that time. In its implementation the agreement provided the I.G., it is true, with the necessary backing, but it also resulted in the I.G.'s not being able to keep for itself the profits which came about through the reduction of production costs, which reduction had been achieved by steady efforts in this direction. Therefore, in practice, on the basis of the agreement, the I.G. was forced to turn over to the Reich sums amounting to millions.

signed: Dr. Ernst R. FISCHER.

Baden, 3 January 1948.

(page 4 of original, cont'd)

The undersigned Notary Public of the Canton of Aargau, Dr. Fritz
VOSE, "Fuersprecher" in Baden herewith certifies the above
signature of Dr. Ernst Rudolf FISCHER, who lives in Baden near

(page 5 of original)

Zuerich, and who is personally known to have acted on his own
behalf.

(L.S.)

(L.S.)

Baden, 29 January 1948

Notary:

Signed: Dr. Fritz VOSE, Notary

I certify to the verbatim and true copy of the above document.

Munich, 17 February 1948.

Signed: Dr. Hans FLECHSNER
Attorney-at-Law.

A f f i d a v i t

I, Ingeborg KUHTE, nee GIESS, born on 9 February 1910, Protestant, married, Duisburg, Walramsweg 12, have been warned that I render myself liable to punishment if I make a false affidavit. I declare upon oath that my statement is true and was made in order to be submitted as evidence to Military Tribunal VI, Palace of Justice, Nuernberg, Germany.

From 1 January 1933 until 31 December 1935 I was Dr. GATTIEAU's private secretary in Berlin. I had met him some years previously and knew him from my work; I have never noticed that he had any national-socialist leanings, or that he was active on the Party's behalf. When I started to work for Dr. GATTIEAU he was not a member of the Party nor did he belong to any Nazi organization. I recall, however, that approximately in the middle of 1933 the honorary rank of Sturmbannfuhrer of the SA was conferred upon him. I know that he was arrested by the Gestapo on 30 June 1934 whilst playing tennis and was taken to the Lichterfelde Cadet Training Center, where he was supposed to be shot. His release from the Gestapo prison some days later, was, if I seem to remember rightly, only due to the fact that his wife had become dangerously ill after the birth of her fourth child on 29 June 1934. I cannot recall of ever having seen Dr. GATTIEAU in SA uniform after this event.

Concerning the visit of Dr. BUETEFISCH and Dr. GATTIEAU as "Presse-referenten" (experts regarding all matters connected with the Press) of the I.G. to HITLER in Munich in the fall of 1932, I had no data available in the office of the secretary-general, the management of which I soon took over, neither did I hear anything about an agreement reached between HITLER and the I.G. Dr. GATTIEAU could not have deemed this visit very important as he

neither spoke of this visit on the occasion of the so-called seizure of power nor later on mentioned it in my presence, as fact which is relevant as he would have undoubtedly mentioned it with the mood then prevailing in Germany and the relationship of mutual confidence existing between us. At that time, I believe, Dr. BUTTEFISCH was Prokurist with the title "Director", whilst Dr. GATTIEAU was not even a Prokurist, so that I can assume from my knowledge of I.G. procedure, that the I.G. itself attached only limited importance to this visit.

Concerning the general political attitude of Dr. GATTIEAU I can state that he never held any intolerant political points of views or that he endeavored to propagate national socialist politics either privately or in the office. I know that during my time there he not only employed in his department men who did not share ~~these~~ political views but that he also engaged some new ones.

I have read this affidavit consisting of two pages carefully and signed it with my own hand, I have made the necessary corrections and have initialled them. I declare upon oath that the statements made by me correspond to the truth to the best of my knowledge and belief.

Duisburg, 3 October 1947

signed: Ingeborg KUHNKE nee CLAES

Doc Reg. No 802/1947

The above signature of the wife of attorney-at-law Dr. jur. Hans Holmut KUHNKE nee CLAES, of Duisburg, is hereby certified.

Duisburg, 4 October 1947

signed: ETZEL, Notary

Seal : Franz ETZEL,
Notary, Duisburg

Fees: minimum fee	2.-- RM
turnover tax	<u>- .06 RM</u>
	2.06 RM

The Notary: ETZEL

Document Book III GATTINEAU
Document GATTINEAU No.
Exh. No.
(SCHMITZ Document No.6)

A F F I D A V I T .

I, Dr. Hermann BUECHER, residing in Niederwalluf/
Rheingau, am aware that I render myself liable to
punishment by making a false affidavit. I hereby
declare on oath that the following statements are
true to the best of my knowledge and belief and were
made to be submitted as evidence to the American
Military Tribunal in Nuernberg, in Case 6.

I met Carl BOSCH during my activity at the
Foreign Office (from 1919); and later when I was
Directing Member of the Praesidium of the Reich
Association of German Industry (Geschaeftsfuehrendes
Praesidialmitglied des Reichsverbandes der Deutschen
Industrie), our personal relationship became closer...

.....

During the years in question I had many conver-
sations with Dr. Carl BOSCH and I have gone through
all phases of this struggle. In connection with the
gasoline synthesis BOSCH was less concerned with the
fact of whether Germany would become independant
of the world market by succeeding with the synthesis,
or whether the processing was of great significance
politically - to him the synthesis meant an inter-
national technical-economic problem. He was prepared
to take any financial and economic risk in order to
prove the correctness of his opinion

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.....

In these decisive years between 1928-1934 Carl BOSCH and DUISBERG, as well as the above-named members of the Verwaltungsrat of the I.G. Farbenindustrie A.G., were fully responsible for the enterprise. Carl BOSCH was primarily responsible. BOSCH and DUISBERG are dead, also most of the members of the Verwaltungsrat of that time. As far as I know, only Dr. KALLE is still alive.

I believe that I am acting in the spirit of the deceased by expressing the conviction that Carl BOSCH, were he still alive, would even now accept full responsibility for all measures taken under his direction.

.....

Wiesbaden, 16 December 1947
signed: Dr. Hermann BUECHER

I hereby certify and attest to the above signature of Dr. Hermann BUECHER, resident of Niederwalluf/Rheingau, affixed before me, Hanns GIERLICH, deputy defense counsel with the Nuernberg Military Tribunal.

Wiesbaden, 16 December 1947

signed: Hanns GIERLICH

Document Book III GATTINEAU
Document GATTINEAU No.
Exh. No.
(SCHMITZ Document No. 4)

AFFIDAVIT.

I, Dr. Wilhelm Ferdinand KALLE, 77 years of age, resident in Tutzing on Lake Starnberg, 27, Hauptstr., am aware that I render myself liable to punishment by making a false affidavit.

I declare under oath that my statement is true and was made to the best of my knowledge and belief in order to be submitted as evidence to the Military Tribunal at the Palace of Justice in Nuernberg.

.....

(page 4 of original)

I have now been informed, that in connection with the trial pending it has been alleged that the I.G. signed an agreement with HITLER as early as 1932, namely on the occasion of a visit paid to HITLER by IG-representatives at the instigation of Carl BOSCH for the purpose of discussing the problem concerning the synthetic gasoline. Although I am not familiar with the details of the events at that time, I am able to state very decidedly, that, considering Carl BOSCH's fundamental attitude - which is known to me - I think it absolutely out of the question that he, even at the price of the realization of his hydrogenation plans - was ready to co-operate with HITLER, whose human and political attitude he completely rejected.

.....

signed: Dr. W.F. KALLE
Dr. W.F. KALLE

I hereby certify and attest the above signature of Dr. Wilhelm Ferdinand KALLE, resident in Tutzing on the Starnberg See,

Document Book III GATTINEAU
Document GATTINEAU No.
Exh. No.
(SCHMITZ Document No. 4)

(page 2 of original)

27, Hauptstrasse, affixed before me, Hanns GIERLICHs,
Deputy Defense Counsel at the Nuernberg Military
Tribunal.

Wiesbaden-Biebrich, 8 Sep-
tember 1947
signed: Hanns GIERLICHs

Excerpt from Document No. NI-8637:

DOCUMENT No. NI-8637
OFFICE OF CHIEF OF COUNSEL
FOR WAR CRIMES.

Interrogation of Dr. Heinrich BUETEFISCH
on 16 April 1947, from
9.45 until 11.45
Interrogator: Dr. Otto HEILBRUNN

German Court Reporter: Elli WUNDERLICH

page 13 - 16:

.....

Q: What was BOSCH's motive, when in 1932 he approached
HITLER through you and GATTINEAU?

A: BOSCH's motive was to keep what seemed to him a
highly promising development in the field of high
pressure synthesis from being smashed.

Q: Why did he choose HITLER as an indirect partner in
the negotiation?

A: In my opinion, HITLER was not his negotiating part-
ner, but BOSCH had to fight the press of many
parties, who strongly opposed the development of
synthetic fuel. He said: "They want to kill some-
thing which I consider for the general good."

Q: Did BOSCH commission you to go to HITLER?

A: GATTINEAU must have telephoned him that I would
probably be in the position to give technical in-
formation. I was to go there at BOSCH's request.

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- Q: What did HITLER promise at the time?
- A: He said only: "I shall see to it that such articles do not appear in my press any more."
- Q: Did he say: I expect IG to behave decently toward the Party?
- A: No. Not a word about that. There was never any talk about politics at all, which I considered very fair.
- Q: At the time, he needed money badly.
- A: Yes. That may be, but there was not a word about it.
- Q: And HESS?
- A: Not one word.
- Q: Did GATTINEAU give any hints?
- A: After HITLER said: "That is my conception of it", I was asked about the technical aspects of coal hydrogenation. I gave the explanation and that was all.
- Q: What did you talk about with HESS?
- A: He told me of his flight over Garisch, the exertions it took and so on.
- Q: The matter in question was not discussed with HESS?
- A: No.
- Q: Did you communicate this to BOSCH?
- A: Yes, verbally. I said that I had given the technical aspects of the matter and that HITLER had said, that he would see to it that

(page 3 of original)

no more such attacks appeared in his press. For the rest, he said that he considered the development sound and if gasoline could be made from coal it should be pursued.

Q: What did BOSCH say?

A: "Then the man is more sensible than I thought".

Q: Did BOSCH say that one ought to show one's gratitude?

A: No.

Q: In connection with this discussion was anything done to show a more friendly attitude toward the Party by IG?

A: Not as far as I know. That would have been BOSCH's concern.

Q: How large were the investments in the field of synthetic fuel up to that time? Altogether?

A: Expenditures must have amounted to approximately 300 Millions.

Q: Does it not seem probable to you that if a politician makes a statement which will bring in 300 Millions, one does something in return?

A: In my opinion, BOSCH never looked at it from that point of view.

Q: What did HITLER promise?

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- A: He merely promised to stop the articles attacking the synthetic gasoline production, because "if gasoline being produced in Germany, the manufacturers ought to receive their costs for it"; by costs he meant payment at current prices.
- Q: He not only said that the attacks would be stopped but he also said that he needed gasoline? That meant therefore that the economic policy of National Socialism would give financial support to industry for synthetic gasoline production?
- A: You can say the same for quite a number of products.
- Q: How did you interpret HITLER's statement that he considered synthetic gasoline production in Germany economically desirable?
- A: That it is right to produce from German raw materials anything that could possibly be produced, provided it is economically practicable. From the financial point of view, considering the foreign exchange situation existing in the Reich ---
- Q: What caused HITLER to abandon his hostile attitude toward IG which he expressed in the first edition of "Mein Kampf"?
- A: In my opinion, he realized that an economy cannot be run without the rational work of the industrial combines, that it does not do to put everything under state control.

(page 5 of original)

Q: Because of your lecture?

A: Because of my lecture? - He probably realized it in general, not because of my lecture.

A F F I D A V I T

I, Dr. Botho MULERT, residing in Minden, Bachstrasse 44, having been duly warned that I make myself liable to punishment if I make a false affidavit, declare under oath that my statement is true and was made to be submitted as evidence before the Military Tribunal in the Palace of Justice, Nuernberg, Germany.

1. I was born in Canditten, Kreis Preuss. Eylau, on 15 March 1883. In 1922 I became a member of the Reich Ministry for the Economy. Up to 1933 I was in charge of the Office Chemistry (Referat Chemie), of which mineral oils were also a part, in my various positions as Regierungsrat, Oberregierungsrat, and Ministerialrat. In 1933 an independent office Mineral Oil was set up and I was put in charge of this office. In 1938 I gave up the office Mineral Oil and as Ministerialdirigent took over the Department Chemistry (Abteilung Chemie). In 1943 I left the Ministry.

At present I am in charge of the Department Mineral Oil in the Administrative Office for Economy in Minden.

.....

3. I am no longer in a position to state exactly at what time the negotiations began between I.G.Farbenindustrie and the Reich with respect to a guarantee agreement. As far as I remember it was towards the end of 1931 or beginning of 1932. The negotiations continued for several months and were not concluded until 1933. The reason for the length of the negotiations can be explained, as far as I know, by the practical difficulties inherent in such an agreement since this was virgin territory. As far as I recall, the negotiations were conducted by both parties during this entire period only from purely economic points of view.

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In any event, during the course of the negotiations I never
gained the impression that the conclusion of the agreement was
decided through formal or practical considerations by factors
other than by the purely economic-political bases as set forth,
which at that time had led to the inception of the negotiations.

.....

signed: Dr.Botho MULERT

Minden, 14 July 1947.

No. 222 of the Document Register from the
year 1947.

I herewith certify and attest to the above signature of Dr.
Botho MULERT, Minden, Bachstrasse 44.

Minden, 14 July 1947.

signed: Dr.jur.Martin HUTZE
(Dr. jur.Martin HUTZE)
Notary.

Stamp: Dr.jur.Martin HUTZE
Notary in Minden

..... This is a verbatim copy of
Document BUE 31.

Nuernberg, 5 February 1948.

Signed: Dr.Hans FLAECHSNER
.....
(DR.HANS FLAECHSNER)

Affidavit.

I, Hans RECHENBERG, born on 20 September 1910, resident of Bad
Tolz, Kyreinstrasse 9, have been cautioned that I render my-
self liable to punishment if I make a false affidavit. I de-
clare on oath that my statement corresponds to the truth and
was made to be submitted as evidence to Military Tribunal VI
in the Palace of Justice, Nuerberg, Germany.

Up to 1939 I was an Oberregierungsrat at the Reich Ministry of
Economics. During my college time, in 1930 and thereafter, I
was engaged in economic-political questions and such relating
to economic publicity. I worked on the editing staff of
various newspapers, primarily of such of the National Socialist
Party line. From economic political publications of various
National Socialist newspapers in 1932 I remember numerous
attacks against the I.G. Farben, in part of a very severe
nature. The emphasis of these attacks was directed against
the trust-policy of the I.G. So I remember, for instance,
various articles of the National Socialist press under the
heading "Moloch I.G." which sharply criticized the expansion of
the Konzern. These articles were the result of the anti-
Konzern attitude among NSDAP circles at that time.

(page 2 of original)

Some of these press attacks pointed out that, with the production of synthetic gasoline, a German monopoly for this Konzern would result. It is probable that the professional associations of the German mineral oil trade supplied the material for these attacks. Similar attacks may have appeared also in some of the other newspapers of different political lines.

As far as I still remember today, the newspaper articles and notes mentioned appeared in the following National Socialist Party papers:

Rote Erde, Dortmund;
Preussische Zeitung, Königsberg;
Der Fuehrer, Karlsruhe;
Hakenkreuzbanner, Mannheim;
Rheinfront, Neustadt a.d.H.;
Schleswig Holstein, Daily Newspaper, Itzehoe.

I have carefully read this Affidavit, consisting of two pages, and signed it in my own hand; I made the necessary corrections and initialled them.

I declare on oath that the statements made by me in this affidavit are the full truth to the best of my knowledge and belief.

Nuernberg, 19 March 1948

signed: Hans REICHENBERG

I certify that the above signature is that of Herr Hans REICHENBERG, signed before me, Dr. Helmut DUERR, assistant defense counsel for the defendant GATTINEAU.

Nuernberg, 19 March 1948

signed: Dr. Helmut DUERR

Excerpt from the:

Voelkischer Beobachter

Wednesday, 10 February 1932

Doubtful Economic "Drive"

Interest of the Parties Interested in "Einheitskraftstoff"
(Standard Motor Fuel)

Generally speaking, we have the strongest objections against this motor fuel plan. The elimination of half of the German benzene production would be equivalent to a one-sided preference of the I.G. at the expense of the benzene producing industry and of all the consumers. On examining the whole plan one gains the impression that this is not an action taken in the interest of the German political economy, but a profit-seeking plan of an influential group of people anxious to safeguard their own interest.

I certify that the foregoing copy is a literal excerpt from the "Voelkischer Beobachter" of 10 February 1932.

Nuernberg, 30 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel

Affidavit.

I, Hans RECHENBERG, born on 20 September 1910, resident of Bad Teolz, Kyreinstrasse 9, have been cautioned that I render myself liable to punishment if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

I was a member of the NSDAP since 1930. At that time I was studying questions relating to political economy and I had an open mind with regard to the economic-political problems of the time.

From the time prior to 1933 I recollect that - primarily in 1932 - the I.G. Farben Konzern was the subject of repeated severe public and press attacks on the part of the NSDAP. As the associations and backgrounds of the political game were not yet quite familiar to me at the time, I considered these attacks against the I.G. as being part of the program of the NSDAP which, as a Socialist mass movement, repudiated any formation of Konzern and to which the I.G. Konzern was bound to appear as the prot type of the high-capitalistic form of business. To my mind, all adherents of the National Socialist Party were bound to share the same views at that time. Beside the fundamental opposition to the formation of trusts and Konzerns, some of the particular economic measures taken by the I.G. also were the target of direct attacks, among other things also the private-capitalistic exploitation of the dehydration of gasoline which was at its initial stage then. Of a so-called "alliance of the I.G. with HITLER and

(page 2 of original)

with the NSDAP respectively" I heard for the first time through the publications of the Wuernberg indictment. Every National Socialist, before and after 1933, would have indignantly rejected such an allegation in those days.

In spite of my close friendly relations with Dr. GATTINEAU, the latter had never told me a word of his visit to HITLER in the autumn of 1934. Also in discussing his frequent personal difficulties with persons and agencies of the NSDAP, Dr. GATTINEAU never mentioned with a single word his visit to HITLER, although such a reference - at that time - would not only have removed many obstacles from his way, but also opened up many approaches.

I have carefully read this affidavit consisting of one page and signed it in my own hand; I made the necessary corrections therein and initialled them.

I declare on oath that the statements made by me in this affidavit are the full truth to the best of my knowledge and belief.

Bad Tölz, 29 November 1947

signed: Hans RECHENBERG

I certify that the above signature is that of Herr Hans RECHENBERG, signed before me, Dr. Helmut DUERR, assistant defense counsel for the defendant GATTINEAU.

Bad Tölz, 29 November 1947

signed Dr. Helmut DUERR

AFFIDAVIT

I, Karl Heinrich HEDRICH, born 29 October 1902, Dipl.Ing., at present witness in the court prison Nurnberg, having been cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement corresponds to the truth and was made in order to be presented as evidence before the Military Tribunal No.VI in the Palace of Justice, Nurnberg, Germany.

Witness, in your affidavit, which was introduced in Case IX against ORLENDORF and others as Document ORLENDORF No.4, you mentioned the name Dr. W.HAGEST. Is this the same Dr. Werner HAGEST, who appeared as witness in the trial against KRAUCH and others (Case VI) on 1 and 2 October 1947?

Yes, he is the same one.

How long have you known Dr.HAGEST?

I have known Dr.HAGEST since 1930. At the time he was a student, together with me, at the technical high school in Munich.

How did you meet him?

I met him through his activity in the NS student association and through his work concerning foreign countries in the German Student Association.

In your affidavit for ORLENDORF you state that Dr.HAGEST was your co-worker. Would you please explain this more in detail?

In 1939 I offered Dr.HAGEST work in my sphere of activity. At that time Dr.HAGEST worked with the Army Munitions Office (Munitionswaffenamt) doing a job which did not satisfy him. The opportunity arose for me to help him get work in the Fuehrer's Chancellery with the then Reich Leader Philipp BOHMER. There Dr.HAGEST took over the so-called Amt VI, which dealt

with individual scientific and cultural problems.

signed: Karl Heinrich HEDRICH

- 2 -

In his interrogation, Dr. RAGERT states that he was employed with Dr. UNGEWITTER in the Reich Office Chemistry. How did you come to take him away from there?

It is true that Dr. RAGERT worked in the Reich Office Chemistry for, I believe, 1 or 1 1/2 years. At the time when I took him, he had had sharp disagreements with Dr. UNGEWITTER, which resulted in the cancellation of his position as "indispensable" there. His difficulties were the same that I mentioned in my affidavit for OHLENDORF and which the latter tried to clear up on behalf of RAGERT. On the basis of the explanation I made, we were informed that the SS had withdrawn the objections it had raised.

In his interrogation by the defense counsel of the defendant GATTINEAU, Dr. RAGERT states that he was ordered into the Fuehrer's Chancellery. This contradicts your reply. How do you explain it?

I am not clear as to what RAGERT means here by the word "ordered". There were no military positions in our sphere of activity.

Was Dr. RAGERT a full employee of the Fuehrer's Chancellery?

RAGERT was officially taken over by the Fuehrer's Chancellery as far as wages and personnel matters are concerned, and therefore he was an employee of the Fuehrer's Chancellery and had the privileges and duties resulting from such a position.

Were problems of the I.G. Farben Industry also dealt with in your sphere of activity?

- 32 -

Neither the I.G. Farben nor any other enterprise was subject to special treatment in the Fuehrer's Chancellery. However, questions, complaints, reports, suggestions and all other kind of matters were received there, and among them also some which concerned the I.G. Farben and its work. These were dealt with.

Do you know that the I.G. was accused of putting their private economic interests too much in the foreground?

I know that. A series of discussions also took place which dealt with the questions arising from that.

signed: Karl Heinrich HEDRICH

- 3 -

Was the I.G. considered as an installation particularly working in agreement with the National Socialist order?

No. On the contrary, there were discussions as to whether it would not be timely to socialize this enterprise.

Did Dr. HAGERT express an opinion on such questions and on similar ones?

Dr. HAGERT is a chemist by profession and, also during the period of his activity in the sphere of the Chancellery of the Fuehrer of the NSDAP, he worked on problems of organization and production in the chemistry section as they arose in the individual cases described by me.

Within the framework of such an opinion, did Dr. HAGERT accuse the I.G. of, for selfish reasons, not removing their installations for synthetic gasoline production underground in time?

Yes, I remember such an opinion of Dr. HAGERT's.

Were the above-mentioned opinions or expectations by Dr. HAGERT used officially?

- 33 -

Yes. I discussed the problems in question with BOUHLER, and then he took the opportunity to use them appropriately. I do not know specifically how far Dr.HAGERT himself directly contacted Reich offices in questions.

Did Dr.HAGERT officially deal with the Jewish problem?

The Jewish problem as such was not a task within the sphere of activity of Dr.HAGERT. However, in individual cases, such as in the case of Prof.WARBURG or in the case of Prof.WAGNER of the Hertz Institute, also this question had to be dealt with. This regularly was a matter of protecting half-Jews or people who had assisted Jews from being molested or from other persecutions. In this connection I refer to my affidavit for SANDBERGER in Case IX. In the conferences with SCHELLENBERG mentioned there, Dr.HAGERT was present as I stated at the time.

signed: Karl Heinrich HEDRICH

- 4 -

When did Dr.HAGERT leave?

It was a principle that every co-worker of military age had to complete his duty at the front. Dr.HAGERT himself was ill and was deferred by the Wehrmacht several times. When the establishment of the Volksturm was announced, HAGERT came to the Volksturm. From there he then applied for his release from the Fuehrer's Chancellory at the end of 1944 or the beginning of 1945 - I cannot remember the exact dates. The application was approved, partly also because of its support by Dr.UNGEWITTER whose differences with Dr.HAGERT had in the mean-time been cleared up. I myself gave leave to HAGERT in March or the beginning of April 1945 from the Volksturm, so as to enable him to start on a duty trip outside of Berlin.

Did political arguments ever arise between you and Dr. HAGERT?

No.

I have carefully read through this affidavit consisting of four pages, and have signed it; I have made the necessary corrections and have initialed them.

I hereby declare on oath that the facts stated by me in this affidavit correspond to the full truth according to my best knowledge and belief.

Muornberg, 15 January 1948.

signed: Karl Heinrich HEDRICH

I, Dr. Holmut DUERR, assistant of the defense counsel for the defendant GATTINEAU, herewith certify the above signature of Karl HEDRICH.

Muornberg, 15 January 1948

signed: Dr. Holmut DUERR

Excerpt from:

"Voelkischer Beobachter" of 28 June 1932

German Economy

Dr. Rudolf ALBERT, Dresden

Foreign Rule Over the German Economy and Its Dangers.

The fact that a large proportion of the German economy is under foreign rule constitutes a mortal danger for our nation which must affect all circles, the more so as it comprises both production and consumption. We cannot extricate ourselves from these dangers unless by a prudent, circumspect policy of the State aiming at encouraging business. The reorganization of banking and credit and the reform of the laws relating to stock corporations are important means to accomplish this purpose. The liquidation of oppressive foreign holdings and the prevention of increasing foreign infiltration will be the tasks of the legislation.

Once the German entrepreneur has been urged or compelled by political and educational influences to conform with the principles of national economy it will be possible to create an economic mentality which will be the most impregnable bastion against foreign infiltration. Whoever makes himself a party to bringing the German economy - even if in disguised form - under foreign domination must be branded.

The economic constitution of the Third Reich must do away with the liberalist notions and assert the vital rights of the German nation. Its organization will be so sound as to ensure that no entrepreneur will attempt to flee from the future economic system by selling his property to foreigners, inasmuch as he is able and willing to build his existence on industriousness and efficiency.

(page 2 of original)

A State imposing its strong will also in economic policy, and asserting it in the service of the people will ensure that the German will rid himself also from the foreign rule in the economy!

I certify that the above copy is a verbal excerpt from the "Völkischer Beobachter" of 28 June 1932.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel

Excerpt from:

Voelkischer Beobachter
11 March 1932.

I.G. Farben and Oppau!

Everybody knows that at the time of the establishment of the I.G. Farbenindustrie Aktiengesellschaft Germany had the unequalled leadership in the field of nitrate fertilizer production, and that the I.G. concentrated the largest proportion of this branch of production in its plants. Today, the two biggest nitrogen plants of the I.G., the Oppau plant near Ludwigshafen on Rhine and the well-known Leuna plants were compelled to cut their production so that the closing down of one or perhaps even both plants is imminent.

It is hard to believe that the managements of these two plants have so inefficiently operated the plants entrusted to them as to make their productions - unequalled six years ago - unable to compete on the market. It is safe to assume that some other explanation will be nearer the truth.....

Take for instance the calcium nitrate, a nitrous fertilizer developed in Oppau which a bare three years ago was an excellent article of export affording employment for many. But some people could not rest until they had erected a calcium nitrate factory in Norway - with the result that the German calcium nitrate works are idle today while the Norwegian ones are working to capacity. German workers are fired, but dividends are paid at the old rate!

(page 2 of original)

And what about the hydrogenation of coal developed in Germany under immense sacrifices in money and human lives? No sooner had the process been developed than the patents could be sold to the Standard Oil.

The managers of the individual I.G. plants cannot be held directly responsible for the course taken by the I.G. management, as they were hardly in a position to put up a fight against the influence of international finance. But even they have sometimes rather curious ideas about their tasks.....

The general management of the I.G. it appears, watches these disputes of local managements with interest and apparent glee. It does appear as if the opportunity was seized to close down German plants in order to "invest" the money in other and at present less troubled countries. Thus, it would appear that the individual plant managements - whether intentionally or unintentionally does not matter - are playing into the hands of international wire-pullers.....

I certify that the above copy is a verbal excerpt from the "Volksischer Beobachter" of 11 March 1932.

Munich, 31 March 1948

signed: Rudolf ASCHAUER
Defense Counsel

affidavit.

I, Ernst Wilhelm BOHLE, born 28 July 1903, at present in the Court House Prison at Nuernberg, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the whole truth and were made to be submitted in evidence to the Military Tribunal No. VI in the Palace of Justice Nuernberg, Germany.

as far as I can remember I met Herr Dr. Heinrich GATTINEAU only once, and that was during the Kiel week in June 1934 aboard the guest ship "Rio de Panuko". I did not keep up any contact with Herr Dr. GATTINEAU, neither privately nor officially in my quality as Chief of the Organization of the Germans Abroad.

I declare herewith on oath that this affidavit is the whole truth to the best of my knowledge and belief.

Nuernberg, 27 March 1948.

signed: Ernst Wilhelm BOHLE

This is to certify the above signature of Herr BOHLE given before me, the assistant of the defense counsel for the defendant GATTINEAU - Dr. Helmut DUERR.

Nuernberg, 22 March 1948.

signed: Dr. Helmut DUERR

Affidavit.

I, Dr. Heinrich GATTINEAU, born 5 January 1905 in Bucharest, at present in the Court House Prison at Nuernberg, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the whole truth and were made to be submitted in evidence to the Military Tribunal VI in the Palace of Justice at Nuernberg, Germany.

I confirm that the enclosed diagram "The Costs of the Economico-Political Section and the Central Finance Office of the I.G. NW - 7 from 1932 to 1938" correctly reflects the valuations set forth in the Prosecution Document NI-10925 - "Costs of the Berlin Central Office" - for the Central Finance Office and the Economico-Political Section from 1932 to 1938 and confirmed as correct statements and figures by Hans MUENCH, a procurist of the I.G. Farbenindustrie. The top curve schematically represents the costs of the Central Finance Office of the Berlin Central Office, the lower curve represents the costs of the Economico-Political Section; both cover the period between 1932 to 1938. The scale is based on RM 100,000 per unit.

I declare herewith on oath that the facts stated by me in this affidavit are the whole truth to the best of my knowledge and belief.

Nuernberg, 30 March 1948

signed: Dr. GATTINEAU

The above signature of Herr Dr. Heinrich GATTINEAU is herewith certified by me, Dr. Helmut DUERR, assistant of the defense counsel for the defendant GATTINEAU.

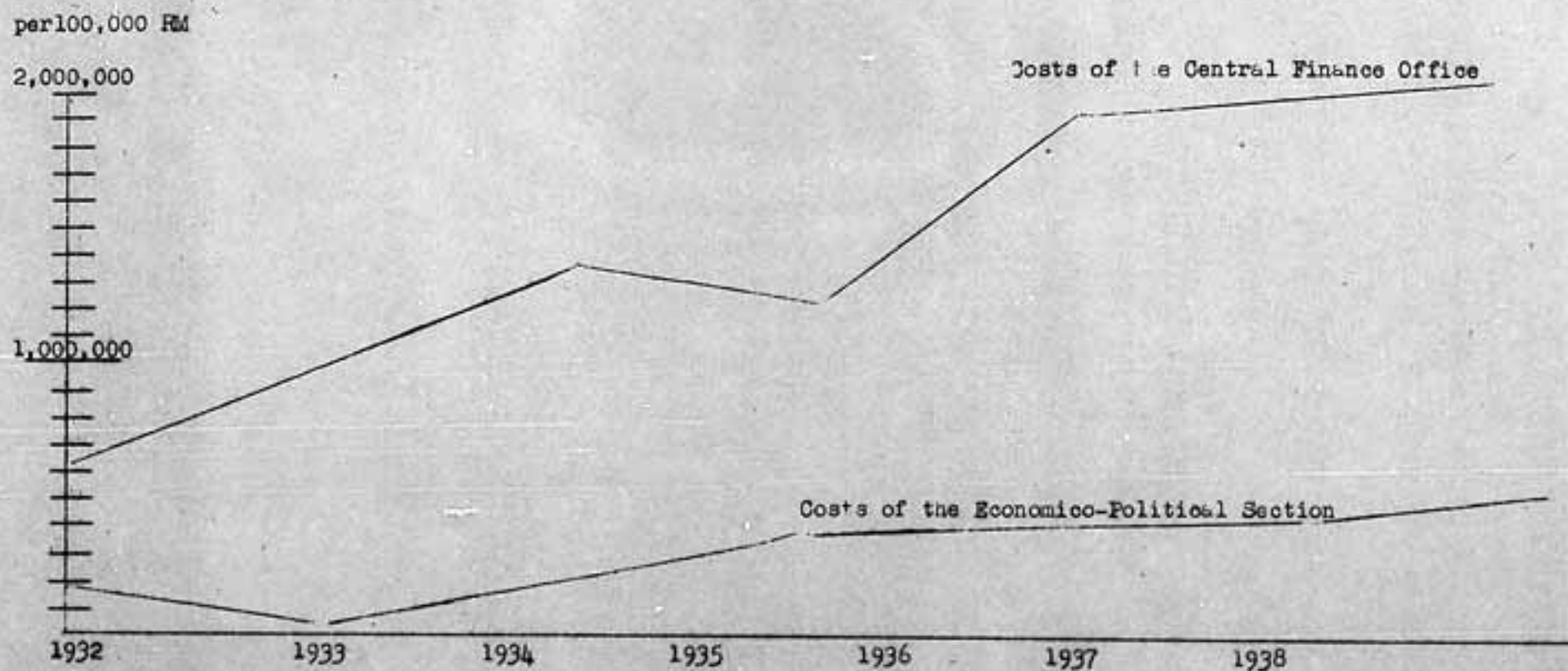
Nuernberg, 30 March 1948

signed: Dr. Helmut DUERR

(page 2 of original)

Document Book III GATTINEAU
Document GATTINEAU No. 54
Exh. No.

The Costs of the Economico-Political Section
and the Central Finance Office of the IG - NW - 7
from 1932 - 1938



- Affidavit -

I, Dr. Jost TERHAAR, born on 11 April 1901, at present residing at Endorf/District of Arnsberg, Westphalia, am aware that I shall be liable to punishment for making a false statement. I herewith declare on oath that my statement is true and was made in order to be submitted as evidence for Case No. 6 to the Military Tribunal at the Palace of Justice in Nuernberg.

Ever since I entered the Economic Policy Department of the I.G. organization Berlin NW 7 (1 January 1934), it was charged, as a liaison office, with maintaining contacts between the commercial department for I.G. sales and the offices of the authorities responsible for trade agreements, (in particular the Reich Ministry of Economics and the Trade Policy Department of the Foreign Ministry) as also the corresponding offices of the so-called autonomous administration of industry (especially Economic Group and Supervisory Office Chemistry - Wirtschaftsguppe und Pruefstelle Chemie).

The "Wipo" operated according to the nature of its work by directive given on the strength of written, oral or telephonic orders, all of which were given by the above mentioned sales departments. These orders entailed the following:

- a) Looking after current questions of trade agreements as fundamental task. This was done by collecting, screening, revising as to form (but never as to contents) the desired points in trade agreements as far as they concerned customs, quotas, prices, rights for the establishment of branches, double taxation etc. The wishes were then forwarded to the authorities, and if the latter requested further information, it was given them. The sales department of the I.G. were informed of the results of the official negotiations on trade agreements.

This work of the Wipo, which comprised its main activity, filled the specific need:

- 1) To give to the authorities in charge of trade agreement policies something in the nature of a uniform address at the place of their activity.
- 2) To function as a clearing house for these same authorities, in view of the fact that the number of export products of the I.G. which were relevant for trade agreements ran into thousands and were exported under technical designations which could not be understood by the authorities without their having to make continual inquiries, and I.G. having continually to clarify these designations.
- 3) Because the I.G. - unlike practically all the other firms - belonged to several Economic Groups (Chemistry, Textiles, Photography, Metals etc.) due to the variety of its products, and was not represented by any of these groups in the exceedingly important work on trade agreements.

For these and analogous reasons the liaison function of the Wipo as described under (a), was deemed necessary by the authorities and desired by the competent Economic Groups.

- b) Moreover, the Wipo fixed the dates on which the sales departments desired conferences to take place between the commercial managers and employees and the above mentioned Trade Policy Bureaus of the offices and of industry. The Wipo-specialist concerned participated in some of these conferences.
- c) In addition to this current and fundamental task of trade policy other individual problems which occasionally cropped up and which concerned other than the above mentioned authorities, were dealt with. It is almost impossible to classify these cases which changed all the time and of which it can be said in general that they

were relatively unimportant. The following examples, therefore, merely serve to give an idea of the work done:

- Contact with the office of the Price Commissioner concerning export prices,
- Contact with the EAST Ministry, payments of I.G. pre-war claims, I.G. exports to Russia.
- Contact with the Office for the Four Year Plan (Once only, as far as I know) concerning dates for conferences with merchants.
- Contact with the Reich Ministry of the Interior concerning legislation on apothecaries and concerning the Reich Ordinance on the Placement of Public Orders (Reichsverdingungsordnung).
- Contact with the Reich Ministry of Finance concerning international double taxation.
- Contact with the Organization Abroad (Auslandsorganisation - A.O.), which was quite unimportant and purely formal, because questions of representation abroad which were important for the A.O. were handled exclusively by the commercial departments themselves. This was definitely Herr Waibel's province.
- Contact with the Food Ministry, insofar as questions of Trade policy were dealt with by Ministerial Councillor WALTER.
- Contact with the Labor Ministry concerning the question of the wage ceiling and the commercial tariff contracts.
- Contact with the Ministry of Transport concerning questions of freight transport which occasionally cropped up.

The above list does, of course, not exhaust the number of offices which had to be contacted on the basis of orders of some kind or other given by the Sales Cominos or the management of MW 7, or on the basis of information required in the field of trade policies. However, I do not remember distinctly the details of the contacts made and which are not mentioned, such as, for instance, contacts with foreign legations, whose commercial attachés asked technical questions and received answers once in a while - because these were unimportant.

Nurnberg, 15 January 1948

signed: Jost TERHAAR

I, Dr. Walter BACHM, herewith certify and confirm the above signature of Dr. Jost TERHAAR, which was affixed in my presence today.
Nurnberg, 15 January 1948.

Signed: Dr. Walter BACHM.

CROSS-EXAMINATION

KRUEGER through Attorney ASCHENAUER as of 29 October 1947,
in the forenoon.

Pages 3010 - 3013 German court record.

Pages 3010 - 3013:

Q: What significance did the WIPO have anyway? Could it act
independently, or did it have an auxiliary function for the sales
combines, especially as it was in the field of duty and trade?

A: The latter. It was to a great extent bound by the instructions
of the sales combines.

Q: The WIPO had no political duties?

A: No. We called them economic-political duties.

Q: Who was the head of the WIPO from 1932 to the end of 1938?

A: Dr.GATTINEAU.

Q: From the end of 1938 on?

A: Dr.TORHAAR.

Q: Did the WIPO have the duty to make reports, or was that
the duty of the VOWI?

A: Of course, the WIPO did make reports on its activities, on
its duties and on certain subjects which were handled in that
connection but if you mean the reports which were issued outside
of the I.G., that was done only by the VOWI.

Q: Witness, was it not so that the sales combines handled their
deferment questions themselves and made their personnel plans
for the event of mobilization themselves, and used the WIPO only
to obtain information?

A: Yes, that is how I remember it.

Qu: Witness, can you recall when the WIPO was founded?

A: (no answer)

Qu: To refresh your memory may I draw to your attention a decision of September, 1932, which says the ZA has moreover decided the creation of an economic political department under Dr.GATTINEAU in which the press office of Dr.BRETTNER, the economic political office, Dr.ALBERS and the trade political office are consolidated?

A: That answers the question of its creation. I had no concrete recollection. I was often asked about that, but I could only say that I assumed that it was about 1933.

Qu: That shows that the creation of the WIPO had no connection with the seizure of power by the Nazis?

A: No; but as I have said in my testimony after the seizure of power by the Nazi, when planned economy was introduced more and more, it gained greater importance and grew beyond its original aim.

Q1: May I put to you the following: When international trade became more complicated, when the quota system was introduced and the Government authorities in Berlin were increased, in the years 1931 to 1932 the necessity arose in the commercial sector for an office which would help the sales combines in dealing with the authorities. These were the basic considerations out of which the WIPO was created?

A: Yes.

Q1: Then, witness, did the WIPO ever have anything to do with technical production questions?

A: Never, as far as I know.

Q1: Then, witness, up to the end of 1938 did the WIPO have the assignment to establish contact with military agencies?

A: I do not remember that concretely.

Q1: Do you know that Dr.GATTINEAU as head of the WIPO was not deferred up to the outbreak of war?

A: Yes, I believe that is true. He had been a soldier and his deferment was later the subject of deliberation. Yes, that must be right.

Q1: Then witness, do you agree with me if I say that the share of the costs of the WIPO in the total costs of the I.G. Berlin NW/7 in the years 1932 to 1945 was about ten percent?

A: I cannot say. I consider it possible; this amount is little, but I believe the other departments, especially the VOWI, bore a large part of the costs, and also, of course, the Central Finance Office.

Q: Is it true that the head of the WIPO was only a procurist from 1932 to the middle of 1938, and only in the middle of 1938 received the title of director?

A: That is probably right. That is, it must be right that it was at that time. I don't know the date exactly, but, at any rate, he was a procurist for a long time.

I confirm that the afore-going document is a true and correct copy from the Court Record, as of 29 October 1948, pp.3010-3013.

Munich, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel.

AFFIDAVIT

I, Dr. Heinrich EICHNER, born 4 October 1907, Roman-Catholic, Director of the South-German Calcium-Nitrate Works, Frosberg, residing in Frosberg, Traunsteinerstr. 9, have been warned, that I render myself liable to punishment if I make a false affidavit. I declare upon oath, that my statement corresponds to the truth and was made in order to be submitted as evidence to the Military Tribunal in the Courthouse in Muerenberg, Germany.

I have known Herr Dr. GATTINEAU since 2 January 1934, at which time I joined the department of Herr Dr. GATTINEAU in the I.G. Farben Industry Berlin NW 7. Although it was known to Herr Dr. GATTINEAU since October 1934, that I had lost my position as scientific assistant at the College of Commerce in Muerenberg because of my anti-national-socialistic attitude, he sponsored me, regardless of my still opposing attitude towards the Third Reich. During the whole of this time I never had the impression that Dr. GATTINEAU was a confirmed National Socialist. His speeches at informal gatherings for instance differed pleasantly from the then usual super-patriotic tirades. During the whole time I could not observe any active political part played by Dr. GATTINEAU. On 30 June 1934 Dr. GATTINEAU was arrested on the occasion of the ROEHM-affair. I know from that time, that Dr. GATTINEAU succeeded only with great trouble and with a good deal of luck in escaping death by shooting. I also know that

as an after-effect of this affair, he had for quite some time considerable difficulties in his profession.

I know that Dr.GATTINEAU took also other, at that time politically objectionable persons in his department. Thus, for instance, the Governmental Counsellor BURLAGE who, because of his membership to the Center Party had lost his position.

Within the framework of the economical-political department I was in charge of Pharmaceutica and thus had the task of liaison with the sales combine Pharmaceutica. (Bayer). Dr.GATTINEAU headed the economical-political department until the end of 1938, was, however, absent on a business trip in Africa between the end of December 1937 and the middle of April 1938 and from the end of April 1938 was very frequently in Austria by order of Dr.ILGNER, so that he was but rarely present in Berlin. During his absence Dr.TERRAAR supervised the department.

The task and the sphere of activity of the WIPO was to establish liaison between the sales combines of the I.G. Farben Industry and the authorities and offices in Berlin and to advise the sales combines in the commercial field, in particular in the case of impending commercial trade agreements.

When, in the course of the general conscription, the demand of personnel for the sales combine became acute, this question was dealt with for a short time from the end of 1937 on by Dr.NOAK, subsequently by Dr.von der HEYDE, within the framework of the economical-political department under the title "M-question".

Document Book III GATTINIAU
Document GATTINIAU No. 56
Exh. No.

I have carefully read this affidavit, consisting of 2 (two) pages and signed it in my own handwriting, have made the necessary corrections and have initialed them.

I herewith declare upon oath that all statements which I have made in this affidavit correspond to the truth to the best of my knowledge and belief.

Trostberg, 22 November 1947.

signed: Dr. Heinrich EICHNER
Director and Commercial Head of the
South-German Calciumnitrate works.

For certification
of the signature:

Trostberg, 22 November 1947

Town Counsellor

by order

signed: signature

Seal:

City of Trostberg

AFFIDAVIT

I, Hans SCHAEVEN, Gemeindedirektor in Frechen/Rhld., born 28 December 1900, Catholic, residing in Frechen near Cologne, Antoniterstr.1, have been warned that I render myself liable to punishment if I make a false affidavit. I declare upon oath, that my statement corresponds to the truth and was made in order to be submitted as evidence to the Military Tribunal No.VI in the Courthouse Nuernberg, Germany.

During the years 1928 until the end of 1938 I worked together with Herr Dr.GATTINEAU. During the period of his activity as political-economical associate of Geheimrat DUISBERG - Leverkusen (1928-1931) I was his secretary. When he took over the direction of the press office and later of the economical-political department of the I.G.Farben Industry in Berlin in November 1931, I supervised the offices of this department.

Since during those years of close collaboration Dr.GATTINEAU used to take me into his confidence far beyond the limits of business matters, I had the opportunity to observe to a large extent his activity, the circle of the persons who came in contact with him and his political opinions. On the basis of this knowledge I am able to state the following:

1. As far as I know, Dr.GATTINEAU did not have any connections with the NSDAP during his stay in Leverkusen (1928 - 1 November 1931), neither in business matters nor in his own personal interests. I know that Dr.GATTINEAU was at that time a firm opponent of national-socialistic ideology and for quite some time considered the idea to join the Center Party, until he finally decided to work for the Conservative People's Party, which was founded at that time and he became even a candidate for this Party.

2. Nor can I remember that Dr.GATTINEAU had ever made any remark or done anything during the years of our working together in Berlin (since 1931) which could lead to the conclusion that he was in sympathy with the national-socialistic ideology. Within the circle of his immediate associates he was decidedly frank in his criticism of national-socialistic measures and particular brutal or irresponsible acts of the national-socialistic regime he used to comment upon in a manner, which left no doubt as to his opposing attitude. I was in almost daily contact with Dr.GATTINEAU and always had the impression that he opposed HITLER's methods not only for political and economical reasons but also for moral reasons.

3. The matter did not end with Dr.GATTINEAU's opposing attitude alone. As far as he himself was able to make decisions, he surrounded himself as chief of the economical-political department of the I.G. with co-workers, who were anything but followers of the national-socialistic regime. He kept me for instance as his secretary even after the seizure of power, although he knew that I was a radical opponent of National-socialism and was in contact with the German resistance movement. He gave aid to members of the German resistance movement as far as was in his power to do so, and under considerable risk to himself. As examples I quote:
a) the case BURLAGE. Dr.Maximilien BURLAGE, member of the state legislature for the German Center Party and Oberregierungsrat (higher governmental counsellor) in the Prussian Ministry of Agriculture, had been dismissed from his office in 1933 because of "political unreliability". GATTINEAU used all his influence to the effect that Dr.BURLAGE was permitted to work in the economical-political department of the I.G. I know that Dr. BURLAGE, who at that time experienced financial difficulties, received financial aid at the instigation of Dr.GATTINEAU.

b) the case of Peter SCHAEVEN. When Peter SCHAEVEN, the secretary general of the Center Party in Cologne (at present secretary general of the CDU, chairman of the Municipal Council of Cologne and member of the District Legislature), lost his position as a result of the dissolution of the Center Party in 1933, Dr.GATTINEAU, on his own initiative, furnished considerable sums of money, which enabled Peter SCHAEVEN to keep going and to tidy him and his family over the time of his unemployment and political persecution.

c) Support of Non-Aryan journalists. In his capacity as chief of the press office of the I.G. Dr.GATTINEAU gave, as far as I remember, material aid to Jewish journalists during the first period after the seizure of power, by giving them the opportunity to assist anonymously in the work which had to be done by the press office.

4. As chief of the press office of the I.G. (since 1 November 1931) Dr.GATTINEAU, as representative of the firm had to keep in touch with the entire German press. This liaison activity consisted of securing an unbiased treatment of the scientific and economic problems of the I.G. in the press by furnishing information and clarification of the problems. Since the circle of these contacts comprised representatives of all the press it was but a matter of course that it included representatives of the NSDAP press. These, however, did not have any particularly influential position in the framework of this information-service during the time before the 30 January 1933.

5. To my knowledge, Dr.GATTINEAU's collaboration in the Advertising Council of the German Economy was confined to an occasional participation in meetings. The Advertising Council concerned itself with the question of stamping out unfair competition in the advertising business and the reform of same as a whole.

Document Book III GATTINEAU
Document GATTINEAU No.57
Exh.No.

6. Dr.GATTINEAU, to my knowledge, was appointed in the middle of 1933 as an honorary Sturmbannführer of the SA. However, I saw him only rarely in uniform. After his release from the Gostopo-
prison in July 1934, he left the SA, that is to say he was expelled by the SA. I believe, that he did not feel safe in Germany after the events of 30 June 1934, since he tried to get abroad.

7.) In the course of my collaboration with Dr.GATTINEAU I very frequently discussed the political situation with him. I always have had the strong impression that, inspite of his membership in the Party, he did not sympathize with National-socialism. Nor did I ever have the impression that he knew for instance of the impending annexation of Austria or of the intention of the responsible Nazi officials to wage an aggressive war. Dr.GATTINEAU had not been declared indispensable before the outbreak of the war and therefore had to report for service. Only some time later was he declared indispensable because of his work in Bratislava. As I have been told, the men in supervisory positions in the ^{Vermittlungsstelle W} agency (had), on the other hand, been declared indispensable even before the war.

With regard to myself I declare: I have never been a member of the NSDAP or any of its affiliated organizations, nor did I ever apply for membership. Between 1933 and the final collapse I was in close contact with leading persons of the German resistance movement.

I have carefully read this affidavit, consisting of three pages, and have signed it in my own handwriting, have made the necessary corrections and signed them with my initials.

I declare hereby upon oath, that the statements which I have made in this affidavit correspond to the full truth to the best of my knowledge and belief.

Frechen, 25 November 1947.

signed: Hans SCHAEVEN

The authenticity of foregoing signature is herewith certified.

Frechen, 2 December 1947

The Mayor
by order:

Stamp: Community of
Frechen.

signed: BACHEN

Affidavit

I, Liselotte von ZUKOWSKI, born 8 November 1904, Catholic, secretary, residing in Berlin-Zehlendorf, Kaunstrasse 17, have been warned, that I render myself liable to punishment if I submit a false statement in lieu of oath. I declare upon oath that my statement corresponds to the truth and was made in order to be submitted in evidence to the Military Tribunal No. VI in the Courthouse at Nuernberg, Germany.

I was employed in the VIPO (economic -political department) during the period 9 November 1933 until 31 December 1934; as senior secretary from 1 January 1935 until 20 April 1945.

As far as I can remember, Dr. GATTINEAU joined the Party on 1 July 1936.

It is not known to me that Dr. GATTINEAU was active in the Party or had taken part in Party meetings. Frequently I had to call the leader of the unit cell and had to inform him that Dr. GATTINEAU was unable to be present-although he would have had the time to go.

Dr. GATTINEAU very rarely wore the SA- uniform in the office. Between November 1933 and 30 June 1934, I saw him only a few times in uniform. On 30 June 1934 Dr. GATTINEAU was arrested by the Gestapo and after his release from prison he left the SA. The incident with GOERING in the spring of 1933 was told to me at that time by the then secretary of Dr. GATTINEAU, Ingeborg CLEINENS, Dr. GATTINEAU also mentioned this incident later on. GOERING had called, very excitedly, and had taken Dr. GATTINEAU to tasks because of his behavior in Scandinavia which was said to have been harmful to the Party.

The VIPO was supervised during Dr. GATTINEAU's Africa trip as of Christmas 1937, by Dr. TERHAAR

(page 2 of original)

who had already previously deputized for Dr. GATTINEAU. Formally of course, Dr. GATTINEAU was still head of the department until the end of 1938. But he was mostly absent on special official business. After his return from Africa about the middle of April 1938, he went to Austria and, with his taking office in Bratislava, his formal withdrawal from the management of the WIPO went into effect.

Dr. GATTINEAU took part only rarely at the mail-discussions. He often tried to have engagements just at the time which coincided with the mail-discussions.

The drafts by Dr. REITHINGER were, to my knowledge, sent out by the VOPI alone.

As far as I know, Dr. NEUBACHER did not hold any office or function in the framework of the WIPO, but his activity was merely one of information.

I do not know of any alliance or agreement which is said to have been made with HITLER in 1932 on the occasion of the visit of Dr. BUETEFISCH and Dr. GATTINEAU.

As far as I know, priority deferment problems of the sales combines were the subject matter of the M-referat, which was at first under the supervision of Dr. NOACK and later of Dr. v. d. HEYDE.

To my knowledge, Dr. GATTINEAU did not take part in the meetings of the Advertising Council after the outbreak of the war. I do not know if meetings took place at all after the outbreak of the war. As far as I know, Dr. GATTINEAU did not receive a special remuneration from the Donauchemie for his activity in Austria; I would have had to know of it, because I drew up the income tax declarations for Dr. GATTINEAU for his income in the German Reichs-territory.

(page 3 of original)

I have carefully read this affidavit consisting of 2 pages, have signed it in my own handwriting, have made the necessary corrections and have initialed them.

I declare herewith upon oath that the statements which I made in this affidavit correspond to the truth, to the best of my knowledge and belief.

Berlin-Zehlendorf, 23 November 1947.

signed: Liselotte v. ZUKOWSKI
nee KLEINKE

I certify foregoing signature, signed before me by secretary
Liselotte von ZUKOWSKI, nee KLEINKE, residing in Berlin-Zehlendorf,
Kaunstrasse 7.

Registered under No. 306/1947
of the Document Roll

Berlin, 22 November 1947

Seal:
Notary in the District of the
Supreme Court of Judication
Georg GRAUL signed: Signature (Georg KRAUL)

Notary

<u>Costs</u>	
(fee regulation of 25 November 1935)	
Value: 20.000 RM	
fee Par. 144, 26, 39	13.— RM
turn over tax	-.40 RM
	<hr/>
	13.40 RM

signed: Georg KRAUL
Notary

Stamp:
Georg KRAUL
Attorney-at-Law and Notary
Berlin-Zehlendorf West
Boerenstrasse 58

Affidavit

I, Dr. Curt DUISBERG, born 29 March 1898, protestant, residing in Grussendorf, Kreis (district) Gifhorn have been warned that I render myself liable to punishment if I make a false statement in lieu of oath. I declare herewith upon oath that my statement corresponds to the truth and was made in order to be submitted in evidence to the Military Tribunal No. VI in the Courthouse Nuernberg, Germany.

From 1 May 1931 until 1 September 1936, I was head of the ZA-office. With regard to the economic-political department, called TIPO, I can state the following:

At the meeting of the works committee of 7 September 1932, the minutes of which I recorded, Geheimrat BOSCH gave the following information:

"..... the Z.A. has also reached a decision with regard to the establishment of an economic -political department, headed by Dr. GATTINEAU, which will combine the press bureau (Dr. BUETTNER), the economic-political bureau (Dr. ALBERS) and the ~~commercial~~ ^{for trade policy,} office Frankfurt/Main (DANMARK). The department will be under the direct supervision of the Z.A."

This was carried out in such a manner that the press office, the economic-political office in Berlin and the commercial office in Frankfurt - the latter had hitherto been under my supervision - were combined into the economic-political department and were subordinated over Dr. GATTINEAU to Prof. SOLCK. As far as I remember, this was altered after the 30 June 1934, when GATTINEAU was arrested by the Gestapo, insofar, as the economic-political department was put under the supervision of Berlin No. 7 (Dr. ILGNER, Dr. KRUEGER).

With regard to the activity of the TIPO, I know the following:
In addition to the normal work of a press office, which aimed at creating a favorable disposition towards the I.G. at home and abroad, it had the task of an assisting section, i.e. it was to assist the sales combines

(page 2 of original)

signed: Dr. Curt DUISBERG

in their business negotiations in Berlin, prepare discussion material, arrange dates, forward inquiries of authorities to the competent offices, and above all, list the requirements of the sales combines for commercial trade negotiations for agreements and quota-regulations, to compile them and to make them known to the economical groups and the competent authorities.

Dr. GATTINEAU was appointed to the position of a prokurist in 1933 and was head of the WIPO from 1932 until the end of 1938. About the middle of 1938 he was appointed titular director. During the period between 1932 and 1935 Dr. GATTINEAU, at the wish of Geheimrat BOSCH, took part in the meetings of the works committee of the Vorstand in his capacity as head of the press office. This is apparent from the minutes of the works committee of 18 October 1932, in which I had put the following on record:

"Dr. GATTINEAU will in the future take part in the meetings of the works committee".

As is quoted in the text, Dr. GATTINEAU was entitled to take part in the meetings, but he was not a member of the works committee, since he was not a member of the Vorstand.

It is also known to me that Dr. GATTINEAU was occasionally called upon by Geheimrat BOSCH to assist him, most of all in press affairs. But he was not his secretary, because Geheimrat BOSCH did not have a secretary in Berlin nor did he have a secretary's office in Berlin. I myself was co-worker of Geheimrat BOSCH in business matters between 1 December 1924 and 1 September 1936. Herr Ernst SEIBERT, Ludwigshafen, was the private secretary of Geheimrat BOSCH.

signed: Dr. Curt DUISBERG

I have carefully read the foregoing affidavit, consisting of 2 pages and signed it in my own handwriting, have made the necessary corrections and initialed them. - 61 -

(page 3 of original)

I declare under oath that the statements which I made in this affidavit correspond to the truth to the best of my knowledge and belief.

Grussendorf, 25 September 1947

signed: Dr. Curt DUISBERG

The foregoing signature of Herr Dr. Curt DUISBERG is certified by me, Dr. Helmut DUERR, Assistant of the Defense Counsel for the Defendant Dr. GATTINEAU.

Grussendorf, 25 September 1947

signed: Dr. Helmut DUERR

(page 2 of original)

Q: Would it be possible to say that the central auxiliary functions, of which you are speaking in your affidavit, increased considerably and progressively during the course of the years and as the planning economy in Germany increased, starting with the crisis of 1931?

A: Yes.

Q: Then one could say that by virtue of this development the activity of the WIPO in particular received an ever increasing importance because this was the agency which was competent for the sales combines; is that true?

A: Yes.

Q: Concluding this chapter could one state that the auxiliary functions which were exercised by I.G. Berlin-NW-7 throughout these years ever since its existence until the very end was only dictated by economic necessities of I.G. Farben?

A: Yes, one could well say that.

I confirm that the above document is a literal excerpt from transcript of 13 October 1947, Pages 1941/1942.

Nuernberg, 31 March 1948.

signed: Rudolf A. SCHENAUER
Defense Counsel.

CROSS EXAMINATION

of Guenther FRANK-FAHLE by Dr. BACHEM

Pages 1941/1942 German Transcript of 13 October 1947
(Pages 1953/54 English Transcript), morning session.

Pages 1941/1942:

Q: In your affidavit you are furthermore discussing the organization of Farben Berlin NW-7. Is it correct to say that the fact that it was impossible to concentrate all commercial central departments of Farben in Berlin was the main reason why the Organization Berlin-NW-7 never received a proper designation?

A: That's true.

Q: In connection with the Berlin NW-7 office you mentioned the expression "Departments for Central Auxiliary Functions." Did you intend to say by that that Farben Berlin NW-7 carried out a number of central auxiliary functions for Farben in particular for the sales combines?

A: Yes.

Q: In this connection you further mentioned as branches of IG-NW-7 Berlin, the Central Finance Administration, the VOWI, the WIPO, the Press Department and a number of others. Is it true that the Central Finance Administration was the most predominant in significance?

A: That's correct. The Central Finance Department was the main department in NW-7.

A f f i d a v i t.

I, Dr. Felix EHLMANN, born on 13 September 1901, Protestant, chemist, resident of Baddeckenstedt, District Wolfenbuettel, have been cautioned that I render myself liable to punishment if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

From 1 May 1926 until the end of the war I was employed at the Association for the Safeguarding of the Interests of the Chemical Industry of Germany which was later transformed into the Economic Group Chemical Industry. In addition I worked from September 1934 simultaneously at the Reich Office for Chemistry (Reichsstelle Chemie), likewise until it closed its activity at the end of the war.

I do not distinctly remember anymore the tasks of the economic-political organizations (WIPO, VOWI, etc.) which had been established by the I.G. Farbenindustrie at one time. As for the WIPO (Economic Political Section) I remember, however, that it was the office which availed itself of the Association for the Safeguarding of the Interests of the Chemical Industry, later on Economic Group Chemical Industry, with regard to the I.G. requests in the field of trade policy. This concerned the presentation of requests concerning the German tariff, as well as of applications which were in connection with trade negotiations between Germany and other countries.

I have no clue for the assumption that the WIPO was engaged in espionage and political propaganda.

(page 2 of original)

It is not known to me that Herr Dr. GATTINEAU was a member of the Southeast-Europe-Committee of the Economic Group Chemical Industry.

I have carefully read this affidavit consisting of one page and signed it in my own hand; I made the necessary corrections therein and initialed them.

I declare on oath that the statements made by me in this affidavit are the full truth to the best of my knowledge and belief.

Hannover, 15 March 1948. signed: Dr. Felix EHRMANN

No. 190 of the 1948 Document Roll

I herewith certify that the above signature signed before me is that of Dr. Felix EHRMANN, Baddeckenstedt No. 66, who proved his identity by producing his identity card AZ No. 250426 (REG).

Hannover, 15 March 1948. signed: Dr. Walter GEISS
Notary

Seal: Dr. jur. Walter GEISS
Notary in Hannover.

Costs:

Value: RM 1,000.--

Fee Art. 26, 39 RKO	RM 2.--
Sales tax 3 %	" --.06
	RM 2.06
	=====

The Notary
signed Dr. GEISS

A f f i d a v i t.

I, Dr. Alfred HOFFMANN, resident of Leverkusen, Kaiser Wilhelm Allee 3, have been cautioned that I render myself liable to punishment if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

From June 1934 onwards I worked at the Referat for Chemistry of the Reich Ministry of Economics, first as an Assessor, later on as a Regierungsrat and Oberregierungsrat. Throughout the time of my activity at the Reich Ministry of Economics I was currently in contact with all of the larger firms of the chemical industry. On behalf of the I.G. Farbenindustrie it was principally the Economic Political Section (WIPO) that contacted the Reich Ministry of Economics. The WIPO presented to the Reich Ministry of Economics the requests and demands of the individual I.G. Sparten and sales combines, after possibly conflicting interests within the I.G. had been synchronized; on the other hand, it transmitted any requests and demands of the Reich Ministry of Economics to the proper I.G. offices. It thus held the function of a mediator with regard to the Ministry of Economics, a function which was welcomed by the latter in view of the extent of the I.G. and its multi-partite organization, and frequently relieved the Ministry of Economics of the necessity of conducting tedious negotiations with several I.G. offices.

(page 2 of original)

In particular the WFO dealt with import and export questions, rationing of raw materials and foreign exchange, legislation concerning taxes and custom-duties, and questions of legislation in general, as far as they touched upon economic interests of the I.G. (law concerning pharmaceuticals); moreover, it prepared the data which served as a basis for trade negotiations with foreign countries. From the point of view of the Ministry of Economics, the activity of the Economic Political Section was a valuable complement for the demands and requests presented by the Economic Group Chemical Industry in the name of the entire chemical industry. The activity of the Economic Political Section was the more valuable for the Ministry as it could always base its work on excellent statistic material.

Leverkusen, 18 March 1948. signed: Dr. Alfred HOFFMANN
Dr. Alfred HOFFMANN

I certify that the above signature is that of Herr Dr. Alfred HOFFMANN, resident of Leverkusen, Kaiser Wilhelm Allee 3, signed before me in his own hand.

Leverkusen, 18 March 1948. signed: Dr. Hugo LEHMANN
Attorney-at-Law and
Defense Counsel.

Cross Examination

of Dr. GORR by Dr. HOFFMANN

German transcript of 24 October 1947
morning session

Page 2702/2703:

by Dr. HOFFMANN (for Attorney ASCHENAUER
and the Defendant Dr. GATTINEAU)

Q: Witness, I am examining you with regard to your affidavit
NI-7611. In this affidavit you make statements about the
functions of the Vermittlungsstelle W, and its connection
to the Berlin Central Agencies, as well as its organization
within the framework of Farben. May I ask you in this
connection whether the Vermittlungsstelle W, when Dr.
GATTINEAU was in charge of the WIPO, that is until the end
of 1938, collaborated with the WIPO or whether both worked
separately?

A: Both agencies worked separately. Only in very rare cases
did it happen that a professional connection became
necessary between these two agencies.

Q: Do you know whether this remained so in the future?

A: The conditions as described by me continued to exist until
the end of the war.

Q: May I now ask you: Was WIPO informed by the Vermittlungs-
stelle W about their work?

A: I understand your question to be whether the WIPO was in-
formed about the work of Vermittlungsstelle W?

Q: Yes.

A: In no cases was it currently informed; at the most perhaps
in special cases.

Document Book III GATTINEAU
Document GATTINEAU No. 63
Exh. No.

(page 1 of original, cont'd.)

I certify that the foregoing document is a literal excerpt
from the transcript of 24 October 1947, page 2702-2703.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel

Affidavit

I, Dr. Guenther GORR, Berlin-Charlottenburg, Preussenallee 28, have been warned that I shall be liable to punishment for making a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal at the Palace of Justice at Nuernberg, (Germany).

From 1937 till May 1945 I was Chief of Sparte II of the Vermittlungsstelle W of the I.G. Farbenindustrie Aktiengesellschaft. There was extraordinarily little contact between the Vermittlungsstelle W and the Economic Policy Department (Wirtschaftspolitische Abteilung) of the I.G. Farbenindustrie Aktiengesellschaft Berlin NW 7. The Vermittlungsstelle W was, as is known, the liaison office between the technical offices of the I.G. Farbenindustrie Aktiengesellschaft and the central authorities in Berlin, while it was the task of the Economic Policy Department, among other things, to look after the relations between the commercial offices of the I.G. Farbenindustrie Aktiengesellschaft and the authorities in Berlin. The only work they performed in common was, if I remember right, that concerning the execution of tasks called for by the instructions for the prevention of the so-called removal of industrial potential from Germany. It was necessary in this connection to ask the competent Wehrmacht office on the one hand, and the Supervisory Office Chemistry (Pruefungsstelle Chemie) on the other hand, whether certain products could be exported. It had been agreed between the Vermittlungsstelle W and the Economic Policy Department that the Wehrmacht applications should go through the Vermittlungsstelle W and the applications at the Supervisory Office Chemistry should go through the Economic Policy Department.

Document Book III GATTIUEAU
Document GATTIUEAU
Exh. No.
(Document ILGNER- No. 47)

This agreement was adhered to in principle. It happened occasionally that one of the associates of the Economic Policy Department asked some technical expert of the Vermittlungsstelle W about purely technical processes; but in every case only to obtain a rough idea of the chemical processes with which some official of the Economic Policy Department had to deal.

Berlin-Charlottenburg, 15 December 1947.

Freussenallee 28

signed: Dr. Guenther GORR

I herewith certify the above signature of Dr. GORR, Berlin-Charlottenburg, Freussenallee 28, which was affixed before me.

Berlin, 15 December 1947

Signed: Dr. Joachim LINGENBERG

Document Book III GATTINEAU
Document GATTINEAU No. 64
Exh. No.

CROSS EXAMINATION

of Guenther FRANK-FAHLE

by Dr. HOFFMANN

German Transcript of 13 October 1947 Pages 1980/81/82

English Transcript of 13 October 1947 Pages 1991/92

Pages 1980/81/82:

Q: Witness, you said "his special field, the M Question".
According to your opinion, what did this M
Question contain?

A: This can be seen from the records of the Commercial
Committee. These were measures about which I al-
ready testified. The compilation of lists as to
who would have to be deferred, priority degrees, etc.

Q: Was this a very important task or could any one
else have done that?

.....

A: THE WITNESS: No, as I said, I could carry them out.
I didn't consider them very important.

I confirm that the above document is a literal
excerpt from the transcript of 13 October 1947,
pages 1980 - 1982.

Nuernberg, 31 March 1948.

signed: Rudolf ASCHENAUER
Defense Counsel

CROSS EXAMINATION
of

Gustav KNEPPER by Defense Counsel HOFFMANN

Page 1929 of German Transcript of 13 October 1947
(Page 1940 English Transcript), morning session.

Page 1929:

BY DR. HOFFMANN, counsel for defendant von der HEYDE:

Q: Witness, did everyone in Germany know what deferment meant, or was that a secret?

A: Everyone in Germany knew that.

Q: Was this institution - this deferment institution customary in every factory, or only in Farben?

A: That was quite general.

Q: Was this deferment carried out according to material reasons or were political reasons decisive for the decision of who was to be deferred or not?

A: Within Farben, there were only materials points of view which decided; so far as I know, no political reasons played any important part whatsoever.

I hereby confirm that the above document
is a true excerpt from transcript of
13 October 1947, Page 1929.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel

CROSS EXAMINATION
of

Gustav KUEPPER by Dr. v. KELLER of 13 October 1947

Pages 1927 - 1928 German transcript

Page 1939 English transcript (morning session)

Page 1927 - 1928:

A: true; during all these meetings where the "M" question was discussed, it was always the aim that as much possible personnel was to be retained for Farben and be kept away from the Wehrmacht. That particularly held true of dyestuffs because, in itself, this was not war-essential and was particularly endangered by the draft.

I confirm that the above document is a true excerpt from the transcript dated 13 October 1947, Pages 1927 - 1928.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel.

CROSS EXAMINATION

of

Gustav KUEPPER by Dr. HENZE, German transcript pages
1925 - 1926 of 13.10.47 morning session,
page 1936 - 1937 Engl. transcript.

Page 1925-1926:

Q: Because of what has already been stated by other
people in their affidavits, there is another
essential question regarding the "M" case, which
is those people who were declared indispensable;
in other words, essential personnel who, in case
of war, would be necessary to guarantee smooth
operation of the business. Do you agree with me
that this question was extremely important and
that it was discussed frequently in great detail?

A: Yes.

Q: Now, Dr. KUEPPER, was this subject "M" also dis-
cussed after the war in these committees?

A: Yes.

Q: Do you agree with me then that the expression
"Mobilization Questions" ... "Mob Questions" is
actually erroneous? After all, one can only mobi-
lize before and during the beginning of the war.

A: That is true.

Q: Then let me ask you whether you remember that
under "M" questions also questions of stocks and
emergency storage places for dyestuffs were
dealt with?

(page 2 of original)

A: Yes, that's also true.

Q: Is it your opinion that this constituted a very essential point - and I am referring to storage because particularly in the dyestuffs business one had to keep large stocks?

A: In the course of time -- and particularly during the war -- this question became increasingly important. Originally, as far as I remember, it was not of a very decisive nature, and that is why I did not deal with it in my affidavit, but it is correct that this question was dealt with later to an increasing extent.

Q: Now, finally, let me ask you one question, Dr. KUEPPER. Is it true that under this seemingly objectionable subject - "M" question -- only such matters were dealt with which would normally be necessary to be discussed in every sales department in case of a war?

A: That is correct because many things were important for sales, including production and other matters.

Q: In other words, you are saying that everything was discussed which had any connection with the attitude of the sales department in the case of war?

A: Yes.

Document Book III GATTINEAU
Document GATTINEAU No. 57
Exh. No.

(page 3 of original)

Q: In other words, it was a passive discussion --
not so much an active discussion?

A: That is true. Everything was discussed, and that
also included the production matters which would
be of interest for sales in case war broke out.
Beyond that there were questions which were ex-
clusively matters for the sales department. For
instance, you just mentioned the question of
stocks and stores.

I confirm that the above document is a true excerpt
from the transcript dated 13 October 1947; Pages
1925 - 1926.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel.

AFFIDAVIT

I, Dr. Ernst HACKEMANN, Tuebingen, Johannesweg 4, have been warned that I shall be liable to punishment for making a false statement. I herewith declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal VI at the Palace of Justice at Nurnberg, Germany. I depose the following:

From February 1937 until the outbreak of war in the summer of 1939, I was employed with the I.G. Berlin NW 7, first temporarily in the office of the Commercial Committee and then as an expert, later as Departmental Chief in the Directorate Department.

I know the note, contained in the Prosecution Document Exhibit 807, Document M.NI-2786, which was submitted to me by the Defense.

I took part as a representative of the I.G. in the conference on 13 April 1938 which is mentioned in the note of 14 April 1938. As far as I can remember, the order was given to me by Dr. KERSTEN, the responsible head of the Directorate Department, who gave the directives which I had to follow in my work in the Directorate Department. It was one of the tasks of the Directorate Department to attend the conference. I already know Dr. PANHORST of the Ibero-America-Institute, who is mentioned in the note, from business conferences. Dr. ILGNER spent some time in South America

in 1936.. As far as I know, he was also a member of the Institute.
At the suggestion of the Ibero-America-Institute Dr.ILGNER had
in 1937 given a lecture on his journey before the diplomatic
representatives of the Central and South American countries
and the economic circles interested in the South America business.
The data collected on Dr.ILGNER's journey were handled by the
responsible experts, in particular by Herr SCHWARTZ, who had
accompanied Dr.ILGNER on his journey. First came the drawing
up of reports on the journey. Then books were loaned to numerous
institutions (scientific institutes, universities, German clubs,
Chambers of Commerce etc.) which had requested them from Dr.ILGNER
while on his trip. Lastly, the general observations and suggestions,
given to Dr.ILGNER during his journey were forwarded to the competent
offices of the authorities, such as for instance, the Ministry
of Economics and the Foreign Office.

It is true that the Central Bureau "Joy and Work" was informed
of Dr.ILGNER's interest as also of the interest of the I.G. as
a whole, in cultivating friendly relations with the South American
countries. In order to make use of these already existent
connections, the Central Bureau invited the I.G. to take part
in the conference of the Working Committee in which a report
was given on the propaganda activities of the Central Bureau.

I was not under the impression that relations already existed between the I.G. and this office of the German Labor Front, but rather that the attempt was made to get the firm, which so far had declined, to put its representatives at the disposal of the organization "Joy and Work". As a result, all the advantages which, in the opinion of the Secretary General MANTHEY, should induce the I.G. to take part, were particularly emphasized in the course of the conference.

Why it was just South America which was selected as an object for propaganda activities, I can no longer say. Neither do I know whether other continents were also to be included in the work of the Central Bureau or were already included, as before that time, I had never heard of the institution "Joy and Work" as a "leisure time organization", since I was opposed to the HSDAP and had no interest in questions of this kind. I assume that the Central Bureau tried, because of the interest shown by the I.G. and particularly by Dr. ILGNER in the promotion of friendly relations with the South American countries, to interest the I.G. in this work via the German Labor Front.

To be quite frank, the object of "the organizing of leisure" (Feierabendgestaltung) was never quite clear to me. However, since the Central Bureau apparently had made it its task to propagate in the world the idea "leisure and recreation", the gentlemen who belonged to the committee were obviously convinced.

of the necessity of such an idea. Incidentally, the committee in question was international and representatives of all the more important countries belonged to it.

It is true, I do remember that my chief, Dr. KRASTEN, expressed criticism and was doubtful whether this idea met the needs of the workers in South America. As a result, the people in the I.G. offices were not very pleased about the proposal that they were to put the liaison personnel of the I.G. at its disposal. As far as I remember, they never did so, the reason being that the whole of the projects mentioned in this note, such as movies, novels, exhibitions, Strength through Joy (K.D.F.) trips to Ibero-America, were generally considered phantastic, and therefore were not discussed any further in the Directorate Department. As far as I know, no official proposal was even made to the I.G. The only thing which actually existed was a sumptuously produced multilingual illustrated magazine. It was intended to distribute this magazine also in South America. Dr. KRASTEN called this paper a nuisance and highly superfluous.

Since the attitude to the whole idea was as negative as it could be, given the conditions in the Third Reich, nothing was done by the I.G. to promote the work of the International Central Bureau. Although my knowledge of the matter is somewhat superficial, I would deny that the "International Central Bureau" was a camouflaged institution for the propagation of National-Socialist

ideas. The people in it were not suited for such work. Moreover, foreigners also were represented in the Bureau.

I consider the whole thing an amateurish ^{attempt} to solve a specific problem of the complex labor question. However, there can be no question of its being an organization engaged in so-called "Fifth Column" activities and, least of all, in any warlike preparations. This absurd idea certainly did not enter my mind, either in the conference in question, or when I reported afterwards to the I.G. Nor did any of the gentlemen mentioned in the distribution list of the note ever mention any such thing to me. As far as I remember, I never talked to Dr. ILGNER about the matters which are contained in this note, as I seldom had to report to him directly, but only to my immediate superiors. Moreover, Dr. ILGNER left such tasks on principle to his associates.

The fact that two officers happened to take part in it, does not permit the conclusion that the organization had a military background. As far as I remember, the Lieutenant Colonel had something to do with civil aviation in South and Central America (Condor Syndicate) and for that reason was invited. Captain PASSOW had been in Brazil before. Both were considered to have a good knowledge of the countries and their inhabitants, and they did not represent their ministries.

Many authorities considered the I.G., with its vast network of branches, representations and associate firms, to be the German firm which was consulted in all questions relating to foreign countries. This was true of the field of trade policy, as also of cultural questions and followed necessarily from the fact that the I.G. was by far the largest single German exporter. It should be added too, that AGFA for instance was mostly interested in cultural matters (movies, photography), while BAYER was more interested in scientific matters, and both of them had representatives in South America, even in medium sized and small provincial towns. This also explains why the Central Bureau thought first of the I.G. as a desirable associate for propagating the idea of "leisure recreation".

In order to guarantee a uniform representation of interests within the I.G., especially as the big representations had to some extent directed their financial policy in the opposite direction in the countries concerned, on Dr. ILGNER's suggestion one responsible man from one of the I.G. representations was appointed as "Verbindungsman" in every country. This had been done in 1937/38 for reasons which were exclusively in the business interests of the I.G. When the gentlemen concerned spent their vacations in Germany, they used to visit also the I.G. Berlin NW 7. As it was one of the duties of the Directorate Department, in which I was active

as an expert and later as the Deputy of the Department Head to look after visitors, I made the personal acquaintance of some of these gentlemen and was informed also as to their duties. To my knowledge, no political or military orders from any of the political offices (Foreign Office, Organization Abroad - A.O.) or of military offices (Counterintelligence Department) were ever issued to these gentlemen. On the contrary, the most scrupulous attention was paid to avoiding anything being included in the orders which these gentlemen received from the I.G. that could cause I.G. Liaison Officers, as far as they were Germans from the Reich, to have scruples of conscience in their relations with the country which gave them hospitality. The same applies to I.G. liaison officers who were not German citizens.

I know from the German press in 1946 that the I.G. liaison officers are considered by the Allies as an espionage organization. I must reject this assertion because it is not in keeping with the facts as I know them. It is true that one could reply that my position was too subordinate to permit me to have insight into such matters. However, I would like to point out that it would not have been possible to conceal an exchange of secret correspondence over and above the business correspondence between the I.G. liaison officers and the Central Office Berlin NW 7.

Moreover, I believe that I can say from my personal intercourse that a great number of these gentlemen was not on the best of terms with the NSDAP and for this reason alone would have rejected such demands.

After the one and only conference at the Central Bureau, I heard nothing more about the whole affair. As I remained in my position in the Directorate Department until the outbreak of the war, and as this Department continued to be competent for such matters, if the I.G. had been approached concerning them, I would, in any case, have had to learn of them. However, that was not the case. The only explanation I can give is that, either the somewhat phantastic plans of the Central Bureau were not carried out at all, or that the German Labor Front had decided to renounce the idea of the I.G. collaborating with them.

Tuebingen, 1 March 1948.

signed: Dr. Ernst HACHEMANN

I herewith confirm and certify the above signature of Dr. Ernst HACHEMANN, Tuebingen, Johannesweg 4. His identity was established by me, the Government Employee Gerhard STEUDLE.

Tuebingen, 1 March 1948.

signed: STEUDLE
(Government Employee)

AFFIDAVIT.

I, Wera SCHWARTE, Babelsberg-Ufastadt, Neue Kreisstr. 15, having been warned that I should render myself liable to punishment by giving a false affidavit, declare in lieu of oath that my statement is the truth and has been made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

During the period between 1935 and 1944, I was secretary to Admiral Wilhelm CANARIS, the chief of the office Foreign Countries/Counter-Intelligence. In this capacity I had a good survey over the circle of friends of Admiral CANARIS. Never have any more or less close relations between the IG Farbenindustrie AG and its officials, in particular those of the office Berlin NW 7 and Dr. Max ILGNER on the one hand, and Admiral CANARIS on the other hand, come to my knowledge.

Berlin-Kohlhasenbrueck, 23 August 1947

Babelsberg-Ufastadt

(signed): Wera SCHWARTE

I, attorney-at-law Friedrich SILCHER, Berlin-Zehlendorf, Hermannstr. 2, herewith attest and certify that the foregoing signature of Wera SCHWARTE, Babelsberg-Ufastadt, Neue Kreisstrasse 15, was recognized by me and executed in my presence.

Berlin, 23 August 1947

(signed): Friedrich SILCHER.

Document Book III GATTINEAU
GATTINEAU Document No.
Exh. No.
(ILGNER Document No. 67)

Excerpt:

ILGNER Document 67
Affidavit RUPERTI, p. 69/70

AFFIDAVIT.

I, Dr. Ernst Justus RUPERTI, born on 5 June 1898, residing in Ammerland on the Starnberger See, Seestrasse, know that I render myself liable to punishment if I deliver up a false affidavit. I declare on oath that my statement is in conformity with the truth and was made to be submitted as evidence in Case 6 to the Military Tribunal in the Palace of Justice Nuernberg.

At the beginning of the war which started in 1939, I was drafted as Captain in the reservists to the Economic Information Service in the OKW (Abw. I 71).

My superiors were Colonel BLOCH, then Lieutenant Colonel FOCKE, and finally SS-Standartenfuehrer SCHMIED. None of the gentlemen mentioned succeeded in inducing the I.G. to co-operate in the economic information service, as it was generally the understandable tendency of big concerns working abroad to avoid connection with the information service on account of its compromising character.

signed: Dr. Ernst, Justus
RUPERTI
Ammerland, 13 February 1948.

Document Book III GATTINEAU

Certificate of Translation

15 April 1948

We hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of Document Book III GATTINEAU.

Hanna Marie BIEBER, Civ. No. B-397 989, (pages 31-35)

.....

Hildegard L. FIRTEL, Civ. No. 17 415, (pages 26-30; 65-68)

.....

Gerhard FISCHER, Civ. No. 17 397, (pages XIII-XVIII)

.....

Rosl GETREU, Civ. No. 45 672, (pages 50-62)

.....

Alfred OBERLAENDER, Civ. No. 20 192, (pages 36-42)

.....

Frederic L. PERA, Civ. No. B-397 943, (pages IV-VIII)

.....

Ursula E. RUDMAN, Civ. No. 20 130, (pages 13-14)

.....

Kurt SCHREUER, Civ. No. 35 299, (Cover; pages I-III; IX-XII)

.....

Case 6
Defense

TRIBUNAL VI

CASE VI

Document Book IV

for

Dr. Heinrich GATTINBAU

submitted by

Rudolf A SCHENAUER

Defense Counsel

Long



Table of Contents
of Document Book IV
for Dr. GATTINEAU

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4		Affidavit of Dipl. Engineer Karl PLATZER.	
		From 1916 until the annexation, the witness 1 was technical director of the Carbide Works German-Matrei A.G., Bosnische Electricity A.G., Nitrogen Works A.G. Maria-Rast and from 1924 on also of the Continental Association for Applied Electricity A.G.	
		He reports that already from 1927 on IG Farben representatives visited the factories of the Austrian Associations and that the IG, in view of the participation conditions at that time, had the right to inspect these factories.	
		The witness then describes the details of the pensioning of Jewish and politically undesirable co-workers which had to be carried out on the basis of government orders. The witness states that he himself was pensioned and continues: "However, the gentlemen of the IG who later on worked on the reorganization of the Danube Chemistry (Donauchemie) (HAAGER, GATTINEAU, KUEHL) tried to find ways and means to retain my co-operation for the enterprise." He describes the formation of the central office PLATZER and confirms that all Jewish co-workers received compensation except for two, who had been arrested by the Gestapo and in the case of whom the Gestapo had forbidden payment.	
		The assertion, that the IG	

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controlled the Austrian Chemical Industry is incorrect according to the testimony of the witness. The witness then gives details of the personnel conditions and of the reorganization and extension measures for the benefit of the plants of the Danube Chemistry. He concludes by saying: "I do not know anything to the effect that any one plant of the Danube Chemistry manufactured armament products."

3

Affidavit of Dr. Ernst HACKHOFFER.

8

The witness is an Austrian and was a participant in the transfer negotiations of German-Metrol and Skoda-Wetzler and later on was a member of the Vorstand of the Danube Chemistry. He confirms that "after the conclusion of the negotiations with the bank (Creditanstalt), which were carried on in an unobjectionable manner on a purely private economic basis and without use of any pressure and which brought the bank large proceeds exceeding the value of the not well funded ammunition factory, a live activity in planning began." As the witness confirms, the main task was "to increase the profitability of the plants, especially to satisfy the increased Austrian civilian demand." He then describes in detail the extension measures and finally states: "The IG did not dismantle one single plant in Austria and bring it into the Reich proper, but rather it made a considerable contribution to the industrial development of the country by investing sums up to 10 -12 millions RM."

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As regards the Danube Chemistry production he states:
 "At any rate, the Danube Chemistry in its entire production only supplied the civilian demand, which it could hardly satisfy in view of the industrialization of the country. Thus, it cannot be said that the Danube Chemistry was harnessed into the war machine of the Reich. Summarizing, I again state that, since the incorporation of Austria into the Reich, the Danube Chemistry experienced a considerable rise with the full technical and financial support of the IG, and the expansion of the production of some individual products was only undertaken where it seemed necessary to satisfy the civilian peace-time demand. The Danube Chemistry has never undertaken the production of armament goods."

2

Affidavit of Paul Heinrich DECKER.

13

The witness confirms that, according to the impression he gained, Kommerzialrat ROTH in agreement with the Vorstand of the Skoda-Wetzlar AG tried to achieve a combination of the capital of the Association with the IG, because it was expected that this would further the technical and economic development of Austria's chemical industry. As early as 1936, the witness, as

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representative of the IG audited the accounts of the Skoda-Wetzlar AG, on which occasion the requested explanations were made in a straight-forward and obliging manner. After, during the subsequent period, the negotiations had been somewhat drawn out, the witness in March 1938, again audited the accounts in Vienna, at which time he was surprised by the marching in of the German troops.

The witness considered the stock price of 180% granted at that time too high and thought this was too obliging.

ILGNER

147

Letter from A.O. MOOS von SEILLER to the IG central finance administration dated 13 May 1936, concerning ammunition factory Skoda-Wetzlar Works AG. 18

This letter from the year 1936 shows that, even before the annexation, negotiations by the IG concerning Skoda-Wetzlar were in progress and that the Austrian Creditanstalt was on principle willing to sell its entire Skoda-Wetzlar-stocks to the IG.

68

CROSS examination of KRUEGER by Attorney ASCHENAUER on 29 October 1937, page 3013 and the following, German transcript.

20

The witness explains certain obscurities in his affidavit, prosecution exh. 1105, and confirms that Dr. Paul MUELLER wanted to maintain the partnership of the PESTER-Hungarian Commercial Bank in the AG. Dynamit NOBEL

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		Bratislava and that therefore the negotiations of the witness in Budapest came to nought.	
SCHIEZ 51		Affidavit of Kurt KRUEGER. Among other things, the witness describes an incident which occurred in the conference on foreign currency applications concerning the compensation of non-Aryans in the Reich Ministry for Economics, during which the following remark was made: "The gentlemen of the IG are fighting for the claims of the Jews as if they were their own. As yet the spirit of the Third Reich seems to have left them untouched."	24
BUETEFISCH 176		Affidavit of Dr. Friedrich HENNING. The witness was commissioned with the plant management of the works Moosbierbaum at the end of 1941.	25
HAEFLIGER 39		Affidavit of Guenther SCHILLER. Among other things, the witness describes the negotiations with the Creditanstalt and Generaldirector JOHANN: "The IG did not exert any pressure whatsoever on the Austrian partners in this direction, especially since at this stage of the negotiations we did not even know yet whether the authorities would approve a participation of the IG in Skoda-Wetzler." Then he speaks of the appointment of Commissars,	28

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		which had to be considered as an expression of mistrust on the part of the Party. In conclusion, the witness gives further reasons why the IG could not exert any pressure on the Creditanstalt in the transfer negotiations.	
ILGNER 135		Affidavit of Walter RAPELSBERGER. The witness, formerly the State Commissar for private economy in Austria, confirms that he did not have any reason to assume nor did he know that the IG exerted pressure on the Creditanstalt when it obtained the Skoda-Wetzler stock. He also confirms that the IG was not regarded as a National Socialist enterprise, and considers this the reason for the appointment of Commissars.	31
1		Affidavit of Walter RAPELSBERGER. The witness expresses his opinion on some individual parts of the affidavit of Dr. Josef JOHAM; NI-10998, and corrects these. To the question whether any pressure was exerted when the stock was obtained, he states: "In view of the significance of the Skoda-Wetzler stocks, which JOHAM stresses, he would certainly remember it after 15 years if any pressure had been exerted. He did remember it in the case of the "Continental Navigation". Nor do I remember any such thing. Nor did I hear any complaints on that score, but I did hear complaints	34

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by JOH'M concerning the stock relinquished to the Reich Works. GOERING may have exerted pressure for the Reich Works, but certainly not for the IG. The IG was not regarded as a National Socialist enterprise. Nor did I, as former State Commissar in private economy, exert any such pressure."

- 59 Cross examination of Dr. Josef JOH'M by Dr. v. METZLER (commission session) on 6 February 1948, page 6605 - 6606, German transcript. 38

The witness, as member of the Vorstand of the Creditanstalt, confirms that the IG, or the men conducting the negotiations for the IG did not exert any direct pressure in order to cause the Creditanstalt to sell this stock.

- 70 Affidavit of Wilhelm KEPPNER. 40

The witness, who, at the time of the annexation, was asked to approve the IG's obtaining the greater part of the stock of the Skoda-Wetzler, confirms that at that time it was stated that this was a matter of concluding negotiations which had been conducted for several years and that they were now nearly finished. He also confirms that no one exerted any pressure on the Creditanstalt in this matter.

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HAEFLIGER 40		Affidavit of Hans KEHRL. The witness, who was in Vienna after the annexation as liaison man of the Reich Ministry for Economics, states that no one exerted any pressure on the Creditanstalt in order to sell the majority stock to the IG.	42
71		Excerpt from the transcript of the Vorstand of the Danube Chemistry (Donauchemie) dated 24 October 1941 (question of Betriebsfuehrer).	44

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72		Affidavit by Ludmilla GEISSLINGER. The witness, who was a secretary in the Donauchemie, describes Dr. GATTINEAU's political and social attitude and confirms that in the administrative office of the Donauchemie of which Dr. GATTINEAU was in charge, no foreign workers and prisoners of war were employed; and that the administration in Vienna did not concern itself with the allocation of foreign workers and matters relating to prisoners of war.	45
73		Affidavit by Heinrich THIER. The witness, the former ^{Betriebsobmann} secretary ward of the Donauchemie in Vienna, reporting on Dr. GATTINEAU's political and social attitude states among other things: "Dr. GATTINEAU knew that I was not a Party member and constantly supported me in my efforts to keep peace in the works; his decisions were always made objectively and without regard to the political attitude of the employees."	47
74		Affidavit by Dr. Rudolf SCHMIDT. The witness, who without interruption was a member of the Vorstand of the Dynamit NOBEL from 1915 until 1945, makes the following comment on the argument of the Prosecution witness MAYER-VEGELIN that Carbide Works Deutsch-Matrei and the DAG NOBEL in Vienna might have had difficulties as Jewish enterprises: "I am most surprised that	49

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anyone could even conceive the idea that the two companies - Carbide Works Deutsch-Matrei and NOBEL Vienna-were Jewish enterprises. Both companies were Aktiengesellschaften. That is to say, they could be considered Jewish enterprises only if all or the majority of their stock holders had been Jews. But they had only one stock holder, and that was the Dynamit NOBEL Bratislava - an Aktiengesellschaft. Of this the majority was with our DAG in Troisdorf I expressly state that in the conference in Budapest in July 1938 the argument that the Austrian interests of Dynamit NOBEL Bratislava could be considered Jewish enterprises was not used. In any case, even in internal conferences we never said anything to the effect that this argument might possibly be used."

75

Affidavit by Dr. Karl MEYER.

52

The witness, who took part in nearly all conferences relating to the sale of Deutsch-Matrei and the Austrian Dynamit NOBEL, affirms that the aspect of a Jewish enterprise played no part in it.

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76		Affidavit by Dr. Guenther BERGMANN. The witness, who worked in the Laender-Department of Reich Ministry for Economics since October 1933, comments on some Prosecution documents. He describes the procedure of the government committee negotiations and states that he was not required either to influence the Slovak government in favor of the IG.	54
77		Affidavit by Dr. Rudolf SCHMIDT. The witness describes the history of the AG. Dynamit NOBEL Pressburg and its Austrian interests. He reports on the Budapest conferences in the summer of 1938, in which he took part, and on the decisions made there. He states that Generaldirektor PHILIPP considered the sale of the Austrian companies to be in the interests of Pressburg, and that in the meeting of the board of directors of the AG. Dynamit NOBEL Pressburg on 7 July 1938 he proposed to get rid of the Austrian companies in the possession of Pressburg. The board of directors accepted this proposal unanimously. The witness also states the reason which PHILIPP gave for this proposal. In the same meeting of the board of directors on 7 July 1938 Dr. Paul MUELLER and his Excellency WEISS were authorized to conclude a pensions agreement with PHILIPP.	57

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		The witness cites the details of this agreement.	
70		Cross examination of Heinz MAYER-VEGELIN by attorney ASCHENAUER, transcript of 30 October 1947, pages 3099, 3102, and 3103, German transcript. The witness confirms that the proposals for fixing the sales price for the Austrian Dynamit NOBEL and the Deutsch-Matrei emanated from PHILIPP and FREUND and that the motive for the fixing of the price was to save taxes.	53
ILGNER 136		Affidavit by Dr. Ernst HACKHOFFER. The witness comments on the acquisition of the Skoda-Wetzler: "after strenuous negotiations and payment of a price extremely high for the conditions at that time for the economically not well founded powder factory Skoda Works Wetzler AG., the IG succeeded in acquiring the stocks of this enterprise from the Creditanstalt Vienna Bank Association AG. These negotiations were conducted on a purely private economic basis in a cordial manner and without bringing any pressure to bear. With the Carbide Works Deutsch-Matrei AG. and the powder factory, about equal in importance, the IG thus controlled about 20 to 25 % of Austria's chemical industry." In regard to the plans of development and actions of the participants on the part of the IG, the witness states:	63 (?) 65

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"The plans of development were put on a basis entirely independent of the Four Year Plan. Neither in founding nor in planning the expansion of the Donaukanal was any regard paid to the execution of the Four Year Plan. Likewise I state that Dr. ILGNER, as his colleagues in the IG., who devoted themselves particularly to the Austrian and South-East problems of the IG business, was guided in all his actions in Austria and in the South-East countries only by fair economic and commercial considerations. The interests of Austria and the South-East countries were accorded the same consideration as the Reich German IG interests."

Order for making correction filed in Bk. I
after the Index.

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C e r t i f i c a t e .

I certify that all documents contained in this document book correspond literally to the documents submitted to the Tribunal.

Nuernberg, 31 March 1948

signed: Rudolf ASCHENAUER
Defense Counsel for the
Defendant GATTINEAU.

A f f i d a v i t.

I, Dipl. Ing. Karl PLATZER, born on 19 February 1878, Rom. Catholic, managing director retired, at present resident of Burghausen, Bunn No. 11, Upper Bavaria, have been cautioned that I render myself liable to punishment if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

From 1916 on, I was works manager of the Carbidwork Deutsch-Matrei AG, Bosnian Elektrizitaets-AG, Stickstoffwerke AG Maria-Last, as well as, from 1924 on, of the Continentale Gesellschaft fuer angewandte Elektrizitaet AG (Continental Company for applied electricity).

Both Herr ROSENBAUM, Generaldirektor of the Carbidwork Deutsch-Matrei and of the afore-mentioned companies, and his successor, Erwin PHILIPP, frequently called me in for the discussion of general questions of business policy. Thus I came in contact with the IG already in autumn of 1927.

As early as autumn 1927 an IG committee visited the plants of the Austrian companies in order to become acquainted with conditions and plant installations there. The committee was composed of the Herren NISTOR, DUDEN and KUEHNE. On account of the IG's interest in the Dynamit AG formerly Alfred NOBEL & Co., Troisdorf, which controlled Bratislava which again controlled the above-mentioned Austrian firms, the IG was within its rights to look into this matter, the more so, since the journey was made with the consent of

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Professor Dr. Paul MUELLER, the Generaldirektor of the Dynamit NOBEL, Troisdorf. During the subsequent meetings, in which Dr. KUEHNE, RISTOR, WEBER-ANDRAE, Dr. HESS and PHILIPP participated, the further development of the smaller Austrian plants in our sphere of interest was repeatedly discussed. This contact was maintained and intensified also in the following years.

After the Anschluss, in March 1938, Staatskommissar RAFFELSDERGER appointed the Kommissare von ODELG and K.O. SCHILLER for the task of business supervision in those plants in Austria in which the IG or the Dynamit NOBEL were interested or held shares.

On the strength of the regulations issued by the Government, the Jewish and politically undesirable associates had to quit in the IG plants as well.

Around that time Guenter SCHILLER was in Vienna who had the task to take care of the general IG interests.

Towards the end of March or beginning of 1938 (after the Anschluss) Guenter SCHILLER told me in his Vienna office that my retirement was indispensable and instructed me that I should even before my resignation give notice to those employees whose further employment was no longer possible according to the regulations of the Kommissar for private economy. On the part of some IG executives who later on took part in the reorganization of the Donauchemie (HANGER, GATTINEAU, KUEHNE), ways and means were sought, however, to retain me on the staff all the same,

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in particular as far as the care for the Stickstoffwerke (Nitrogen plant) Maria-Rast, built up by myself, the Jaice plant of the Elektrobosna and the Continental Company for Applied Electricity until their merger with the Donauchemie AG was concerned. A special company was founded for this purpose, the Elektrochemie, of which I was practically in charge. I received a monthly pension of RM 2,000 and a special remuneration (Aktivitaetsbeitrag) of RM 1,333, to which I fully agreed. The Aktivitaetsbeitrag was granted to me as a remuneration for my work in the interest of the firms Stickstoffwerke (nitrogen plant) Maria-Rast, Elektrobosna Jaice and Continentale in Landeck, each of which firms contributed its share.

In addition to me, Herr HOFFGARTNER held a job there, who had been pensioned with a monthly pension of RM 1,000 for similar reasons. Herr HOFFGARTNER was at first employed likewise at the Elektrochemie and became, later on, the manager of the Ferrosilicium-Syndikat.

After the incorporation of South-Styria, Maria-Rast became part of the Austrian territory. At that time, it was no longer necessary to have a special company to counsel the plant in Maria Rast on matters of engineering and selling. The Elektrochemie was liquidated and the advisory functions with regard to Maria-Rast and Jaice were taken over by the newly created Vienna office "Zentraldirektor PLITZER" which was under my direction. The costs of this office were charged to the accounts of the Stickstoffwerke Maria-Rast and Elektrobosna Jaice via the Donauchemie, a procedure which was based on advisory contracts signed first with the Elektrochemie and, later on, after its liquidation, between the

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Donauchemie and Maria-Rast resp. Jaico.

Furthermore, I was granted to remain as a member in the Verwaltungsrat of Maria-Rast. At the same time I was elected a member of the Verwaltungsrat of Jaico, at the request of the afore-mentioned gentlemen of the I.G. I also remained an executive of the Continental Company for Applied Electricity until its dissolution.

All Jewish associates in the sense of what was said before received indemnifications, with the exception of Dr. SHITZER of the legal department and of Max SHITZER, chief chemist, who had been arrested by the Gestapo, and in whose cases the Gestapo had forbidden any payment to them.

The guiding principles for the indemnification of non-Aryan employees were strictly laid down by the Government. The amount of indemnification differed in proportion to the duration of their employment.

As for the history of the Donauchemie I remember the following particulars:

At the time of the foundation of the Donauchemie, the AG Dynamit NOBEL in Bratislava controlled the following firms in Austria:

the Carbidwerk Deutsch-Matrei AG at the rate of 100%; the Superphosphatfabrik Deutschwagram at the rate of 100%; the Continental Company for Applied Electricity, nearly at the rate of 100%; and the Austrian Dynamit NOBEL at the rate of 100%.

By number of workers and capital invested, the size of all the plants of the Dynamit NOBEL Bratislava in Austria corresponded to the plants which belonged to the Skoda-Wetzlar AG. However, according to my knowledge, both groups together, amounted to less than 50 per cent

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of the Austrian chemical plants.

The Continental Company for Applied Electricity and the Superphosphatfabrik Deutschwagram AG, after the indemnification of the Swiss minority partners in 1941, were merged with the Carbidwerk Deutsch-Matrei; the Carbidwerk Deutsch-Matrei AG was in its turn merged on 1 July 1941 with the Donauchemie. In an agreement reached in Budapest in the summer of 1938, the IG had acquired the stock of the Carbidwerk Deutsch-Matrei AG from the AG Dynamit NOBEL Bratislava and bartered it now for Donauchemie-shares.

As for the situation within the management of the Donauchemie, I can make the following statement:

In about 1942 His Excellency RIEDL was chairman of the Aufsichtsrat. In addition to members of the IG, Austrians were also represented in the Aufsichtsrat. Dr. Hans KUEHNE held the post of Generaldirektor. Members of the Vorstand were furthermore: Dr. GATTINEAU, director of the Vienna administration; Dr. HENNING, works manager of the Moosbierbaum plant; Dr. HACKHOFER, works manager of Bruckl, Landeck, Deutsch-Wagram, Liesing and Leopoldau; Dr. WINTERSBERGER for business matters and for the accounting department in the Vienna administration.

With reference to the reorganization and expansion measures which were taken by the IG for the benefit of the plants of the Donauchemie in Austria, I remember the following details:

In Moosbierbaum, a new sulphuric acid plant with a production capacity of 36,000 tons per annum was established with the aid of the IG. In Bruckl, a new chlorine electrolysis plant for the production of caustic soda and chlorine was built

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with the assistance of the IG plant Leverkusen. In Landeck, a new high-level canal was built to increase the supply of electricity and a second carbide stove was erected.

I know nothing about the manufacture of armament products in any of the Donauchemie plants.

As for the reorganization of the sales organization of the firms within the IG sphere of interest, I can state the following:

A new firm, the Chemikalienverkaufsgesellschaft Donau, was formed of the sales organizations of the firms of Anilinchemie, Carbidwerk Deutsch-Matrei AG, Continental Company for Applied Electricity and Skoda-werke Wetzler AG. This company handled the sale of the production - excepting ferrosilicium - as well as the sale of those chemicals which were imported by the IG and not produced in Austria. The latter constituted the largest percentage of its business volume.

An Austrian and a Swiss were appointed directors of this company (von FONGRATZ and MOOS von SEILLER).

I have carefully read this affidavit consisting of 5 (five) pages and signed it in my own hand; I made the necessary corrections therein and initialed them.

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I declare herewith on oath that the statements
made by me in this affidavit are the truth to the best
of my knowledge and belief.

Burghausen, 9 September 1947.

signed: Ing. Karl PLATZER

Seal:

Town of Burghausen

I certify the authenticity of
the foregoing signature.

Burghausen/Upper Bavaria,
9 September 1947

Town Council

by order: signed signature.

A F F I D A V I T .

I, Dr. Ernst HACKHOFER, born 14 July 1895 in Wolfsberg, Carinthia, Roman Catholic, chemist and estate-owner, have been warned that I render myself liable to punishment if I make a false declaration under oath. I herewith declare under oath, that my statement is the truth, and that it was made to be submitted as evidence before Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

I came to Vienna in May 1938 in order to collaborate in the incipient taking over and reorganization, respectively, of the Carbidwerke Deutsch-Matrei A.G., which for over 15 years were closely associated with the I.G., and of the powder factory Skoda-Werke Wetzlar A.G., for whose share-holdings the I.G. was already at the time negotiating with the credit institution Wiener Bankverein A.G. Upon conclusion of the negotiations with the bank, which had been conducted on a purely private economic basis in an irreproachable manner without the use of any pressure whatever, and which brought the bank a high price in excess of the value of the powder factory which was not well grounded financially, there began a live activity in planning. At first there took place the amalgamation of the two firms into the Donauchemie A.G., which with its plants represented approximately from 20 - 25 % of the capacity of the chemical industry of Austria, in which connection the two amalgamated companies were approximately equal in their importance. The Vorstand of the Donauchemie, of

(page 2 of original)

which I was a member since the formation of this company in 1939, undertook the development of the plants with the aid of the I.G., with the goal of increasing the yield of the plants by expanding them, above all to meet the increased civilian Austrian requirements. Thus in the course of the following years a modern electrolytic sulfonic acid plant was set up in Moosbierbaum, moreover, a large-scale pier was constructed on the Danube by means of which the plant was brought into direct contact with the Danube navigation system. In order to set up these plants the area of Moosbierbaum was enlarged to about 300 hectares through the acquisition of 200 hectares, in order to render possible above all the construction of workers' settlements. Moreover, the plant Brueckl was modernized by the introduction of outside current in addition to a technical alteration of the process; the only carbide plant located in Austria, namely the one in Landeck was adapted to the Austrian demand by the development of the water-power and the setting-up of a second carbide furnace. This was essential, because the plant Lend in Salzburg, which was Swiss property, discontinued the production of carbide in 1938 and was converted to aluminum production. To my knowledge the former powder factory has never produced carbide.

The I.G. has not dismantled a single plant in Austria and transferred the same to the Altreich; on the contrary it has made a substantial contribution to the industrial development of the country through investments ranging between the amounts of 10 - 12 million RM.

(page 3 of original)

Of the formerly affiliated shops of the powder factory the Donauchemie shut down only the completely unprofitable plants of Liesing; the participation in the government explosive plant Blumau was already turned down in 1938. However, there has never been a connection with the Wasag. For that matter the Donauchemie has served only civilian demands in all times of production, which could hardly meet the increased demand conditioned by the industrialization of the country. Thus it cannot be said that the Donauchemie was harnessed to the war-machine of the Reich.

The oft-expressed claim that the I.G. controlled the whole Austrian chemical industry is untrue. It suffices merely to mention the larger enterprises on which the I.G. exerted no influence whatever: Ebenseer Solvay-Werke, Bleiburger Bergwerksunion, Oesterreichische Chemische Werke Weissenstein, Chemische Fabrik Rannersdorf, the entire Soap industry and still others.

In regard to personnel also, I.G. respected all the legitimate claims of the employees who were taken over. Many a good specialist, who had to work in a subordinate position up to 1938, was trained in the large plants of the I.G. and was able to develop his specialist knowledge or was taken over by the I.G. upon his own request.

The Vorstand of the Donauchemie was constituted as follows:

Chairman: Dr. KUEHNE, Dr. HENNING as technical consultant for Moosbierbaum, Dr. HACKHOFER as technical consultant

(page 4 of original)

for the other plants, Dr. GATTINEAU for financial and commercial matters, Dr. WINTERSBERGER administration and book-keeping. A deputy chairman of the Vorstand was not envisaged and therefore never appointed. The sale of the products of the Donauchemie was handled by the Chemikalien-Verkaufsgesellschaft m.b.H., of which the Donauchemie was a member.

The legally established appointment of plant managers was regulated in such a way by decision of the Vorstand, that GATTINEAU who had been member of the Vorstand since 1941 became business manager of the central office in Vienna, HENNING plant manager of Moosbierbaum, and I plant manager of the remaining plants. There never was introduced a unified works regulation with respect to the advisory board as prescribed in the Law Regulating National Labor because of resistance on the part of HENNING, Moosbierbaum, nor was there an appointment of a general plant manager of the Donauchemie. For that matter, with respect to social welfare aspects, Moosbierbaum was completely directed by the ammonia-plant Morseburg.

In summing up I state once more, that since the integration of Austria into the Reich, the Donauchemie with the complete technical and financial support of the I.G. took a remarkable turn upward, in which connection the expansion of the potentialities of individual products was undertaken only there where it appeared essential for the peace-time civilian demand. The taking up

(page 5 of original)

of the production of armament products by the
Donauchemie never took place; the small potentialities
of the plants never even sufficed to meet the
civilian demand reduced by war exigencies. The new
constructions never were completed before the conclusion
of the war. This also holds for the production
of chlorine and caustic soda at Brueckl.

Moreover, I maintain that I never had the feeling
of being regarded a "hostile citizen". I don't
suffer from inferiority complexes, so that the tactlessness
of persons below me could not upset my equilibrium.
For that matter the team-work with all the people
of the I.G. was performed in a spirit of excellent comradeship
and of a unique feeling of solidarity.

I have carefully read this affidavit consisting
of three pages and have countersigned it in my own
hand. I have made the necessary corrections and
have initialled them.

I declare under oath, that the facts stated
by me in this affidavit are wholly true to the
best of my knowledge and belief.

Wolfsberg, 8 March 1948

signed: Dr. Ernst HACKHOFER

Registry of Authentication No. 34/48

The authenticity of the signature of Dr. Ernst
HACKHOFER, Wolfsberg, Hohe Platz 6, is herewith
affirmed.

Clerk's office of the District Court

Wolfsberg, 9 March 1948

signed: SCHUHBOECK

Austrian Stamp
2 Schilling

Fee 3.40 in stamps

collected VP. 34/48

District Court Wolfsberg, 9 March 1948

Seal: District Court Wolfsberg - Carinthia.

AFFIDAVIT

I, Paul Heinrich DENCKER, born on 14 October 1890, Protestant, merchant, residing in Kronberg 1/Ts, Guaitastrasse 16, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare that my statements are the whole truth and were made to be submitted as evidence to Military Tribunal No.VI in the Palace of Justice at Nuernberg, Germany.

1) The I.G.Farbenindustrie Aktiengesellschaft availed itself of the Anilinchemie in which it had a controlling interest as a basis for the sale of chemicals in Austria and in countries of South-eastern Europe. Co-partner and Vorstand in the Anilinchemie was Herr Kommerzialrat Wilhelm ROTH, of Vienna, who maintained commercial and private relations with the Pulverfabrik Skoda-Werke Wetzler A.G. and, according to my impression, endeavoured in conjunction with its Vorstand to get the I.G. interested in an investment in the latter company, because this was expected to give an impetus to the technical and commercial development of the chemical industry of Austria. As far as I can remember from the records, the Oesterreichische Creditanstalt held 35 % of the stock of the Pulverfabrik Skoda-Werke Wetzler A.G. in 1935 and by taking up an option had increased this interest by 48 % towards the end of the year.

2) So that an appraisal of the financial position of the Pulverfabrik Skodawerke Wetzler A.G. might be made, the Vorstand of the latter obtained permission from the Oesterreichische Creditanstalt at the beginning of 1936 to let me, as the

representative of the I.G. and then chief of the General Accountancy Department, gain insight into the economic conditions by a balance audit. For this purpose I was in Vienna in April 1936, and with the general managers Herr POLLACK and Herr ENGLAENDER I discussed the balance sheets, as per 31 December 1936, of the Pulverfabrik Skoda-Werke Wetzlar A.G., and the Chemical Works Wagenmann, Seybel & Co. which was 100 % controlled by the former. In all frankness and in an obliging manner these two gentlemen and the chief accountant gave me the requested explanations. I have set forth the result in the audit report in which I referred to the financial position of the two companies as sound.

3) The negotiations in regard to an investment by the I.G. continued for some time and resulted in a plan, sponsored by all parties concerned, for a fusion of the two companies with other Austrian companies within the sphere of interest of the I.G. In December 1937, during an internal I.G. conference when I was asked to estimate the market value of the Pulverfabrik Skoda-Werke Wetzlar A.G. stock in the event of such a plan being put into practice, I mentioned a market value of 150 %. In order to ascertain whether this level was still justified, it was agreed that I should have another meeting in Vienna with general manager Herr POLLACK. This meeting took place in March 1938, when all the requested information and the balance sheets for 1936 and 1937 with the necessary explanations were submitted to me with the same willingness as before. On these balance sheets, too, I made reports. While completing the same, in Vienna,

I was surprised by the German troops marching into Austria.

4) Austria's Anschluss completely changed the economic conditions of the chemical industry of the country, and consequently, the development observed in the past was no longer a reliable guidance for an accurate valuation of the Pulverfabrik Skoda-Werke Wetzlar A.G. stock. In order to have a new standard to go by and to ascertain at least the intrinsic value of the undertaking, the Oesterreichische Creditanstalt, in March or April 1938, commissioned the Deutsche Revisions- und Treuhand-Aktiengesellschaft (German Auditing and Trust Co) to work out an audit report, which set the actual value of the Pulverfabrik Skodawerke Wetzlar A.G. stock at 210 %. I pointed out that this valuation was wrong, because it capitalized certain proceeds which had been made in the past on the basis of special contracts, although a continuation of these proceeds could no longer be expected after the contract had passed from the Austrian Federal Government to the German Reich Government. The auditing company was asked therefore to re-examine the question of the valuation, which they did in a report dated 7 July 1938. It states that in appraising the financial conditions, the prospects of the future profitability of the enterprise were not taken into account and that the proceeds of the past might have paid sufficient interests at a purchase value of approximately 200 %; on the other hand, however, the adaptation of prices to the conditions in the Reich was bound to result, at least for a shorter or longer transitional period, in a considerable reduction of profitability, and that in all probability

deficits would have to be expected for some time. The appraisal of the risks and chances involved, the report concludes, must be left to the parties concerned.

5) I am convinced that the valuation at 180 % finally approved by the representative of the I.G., the Oesterreichische Creditanstalt, represents the middle course between my first estimate of 150 % and the 210 % arrived at in the audit of the Trust Company. Had the audit disregarded the capitalization of proceeds which were no longer likely and, therefore, justly criticized by me, the resulting values would have been 160 to 170 %. In private conversations, therefore, I criticized the approved value of 180 % as too high and an excessive concession. As a matter of fact, the market value for stocks of other enterprises was fixed considerably lower. I tried to improve the position of the I.G. by making entries which aimed at tax savings, when the market value of the Pulverfabrik Skodawerke Wetzlar A.G. fell owing to the surrender of the interest to the Sprengstoffwerke Blumau A.G. demanded by the Army Ordnance Office. In this effort, however, I failed, because the Office of Internal Revenues would not fall in line with my computations. Only when the balances of the Austrian companies were adjusted to the Reichsmark currency was it possible, on the basis of the re-valuating rules governing this adjustment,

to secure fiscal advantages by fixing a high capital stock.

6) I did not take part in the negotiations with the Oesterreichische Creditanstalt. However, all my conversations with general manager POLLACK left me with the impression that he was very anxious to secure a collaboration of the companies under his charge with the I.G. and that, in this effort he only wanted to avoid coming under the domination of Herr Generaldirektor PHILIP who was in charge of other companies in Austria and Southeastern Europe belonging to the sphere of interest of the I.G. I attributed his desire for a collaboration with the I.G. to a hope that it would result in a participation in the world boom of the chemical industry and a greater readiness to make investments for the modernization of his plants, than he could expect under the domination by a bank.

I have carefully read, and countersigned in my own handwriting, each of these three pages of this affidavit and herewith declare on oath that in these statements I have said the whole truth to the best of my knowledge and belief.

Leverkussen-Bayerwerk, 10 February 1948.

signed: Paul Heinrich DENCKER

Signed in my presence by Herr Paul Heinrich DENCKER as the person making the above affidavit.

signed: Dr. Hugo SCHRAMM
(Dr. Hugo Schramm)

Attorney-at-Law and Defense Counsel.

Document Book IV GATTINEAU
Document ILGNER No.147
Exh.No....

Copy

A.O. Moos von SEILLER

Vienna-Hietzing
Neue Weltgasse 17,
13 May 1936.

I.G.Farbenindustrie Aktiengesellschaft

Central Finance Administration

BERLIN NW-7

Unter den Linden 78

Subject: Powder plant Skodawerke-Wetzlar A.G.,
Vienna I, Kantgasse 1.

.....

Today, I went to see Herr von HENGEL, the Generaldirektor of the Oesterreichische Creditanstalt-Wiener Bankverein, who is awaiting word from Herr ROTH, and he advised me that for the time being he was consulting no one in the Skoda-Wetzlar matter and that in principle he was willing to sell to the Anilin-Chemie half or all of the shares (75 %) in his possession. If he would sell only half of his shares, he would have to have the guarantee for the remainder of his shares that the new owners would continue operating the Skoda-Wetzlar A.G. in the same way, and not possibly curtail production or close down the plant, an action which would render his shares worthless. If he would sell all his shares he would, as a financier of course, be desinterested in the further development of the Skoda-Wetzlar Werke, and would only from an Austrian economic standpoint be interested in the continued operation of the factory. Herr von HENGEL stated that he had not yet discussed the rate of the shares with Herr ROTH, and that he would rather make his

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position known after he received the audit report by Dr.DENKER.
He, therefore, requested the report by Dr.DENKER or an excerpt
therefrom. I advised Herr von ENGEL that I would discuss this
request with you and refer to it later.

signed: MOOS

CROSS-EXAMINATION

KRUEGER by Attorney-at-Law ASCHENAUER

from 29 October 1947

Page 3013 and the following German transcript.

Page 3013 - 3016:

Q: Then I come to Exhibit 1105, Book 53. In your affidavit, Exhibit 1105, you say that the A.G. Dynamit NOBEL, Pressburg, which belonged 51 percent to Dynamit NOBEL, Troisdorf, was dependent on the Czech Government at every transaction affecting foreign countries. Is that not so in most countries of the world that transactions of foreign property of firms required the approval of the government?

A: I believe that is the case in all European countries which have more or less controlled economy and a regulation of foreign currency.

Q: You do not mean to say that the Czech Government has any share in Dynamit NOBEL, Pressburg?

A: No.

Q: Do you know that Dr. GATTINEAU at first had only the assignment of helping to see to it in Vienna that the commissars appointed by the State Commissariat for the I.G. concerns were withdrawn?

A: Yes.

Q: Do you know that Dr. GATTINEAU from Christmas, 1937, to the middle of April, 1938, was on a trip in South Africa?

A: I don't remember the date exactly, but I know about this trip.

Q: Who had to negotiate for the KA in Vienna?

A: I don't understand. I don't understand your question.

Q: Who had the assignment to negotiate in Vienna?

A: Dr.ILGNER. Perhaps Dr.KUEHNE, Dr.FISCHER. These are the names I remember.

Q: Thank you. You say, Dr.GATTINEAU seemed especially suitable for negotiations because of his Party connections? Is it true that Dr.GATTINEAU before 1933 in his capacity as head of the press office of the I.G. had contacts with the press and with political personalities of all parties and had to have such connections in order to perform his duties?

A. Yes.

Q: What Party connections did Dr.GATTINEAU have in Vienna?

A: I cannot say exactly. I remember only that he had old connections, knew some of the people connected with industry personally, a man named BILGERI. I don't know whether I have the right man. I just remember that name from other connections.

Q: May I ask you do you know that Dr.GATTINEAU knew BILGERI from the time when they were studying in Munich?

A: No, I do not know that.

Q: Who negotiated with the Pester Hungarian Commercial Bank about the acquisition of the minority of Dynamit NOBEL, Pressburg?

A: I do not remember exactly. Perhaps you can refresh my memory. I believe that I myself at one time had an assignment when I was in Budapest for other reasons to discuss this matter with Philipp WEISS and some other gentlemen, but I do not remember exactly my specific assignment and what the discussions were about.

Q: Then perhaps you can answer my final question. Why did the negotiations fail? Was it so that Dr.Paul MUELLER, the general director of Dynamit NOBEL, Troisdorf, that is, the mother company, wanted to keep the Hungarian partners in DAG, Pressburg, and, therefore, was not interested in acquiring stock?

Mr.SPRECHER: I think this is beyond the scope of the affidavit talking about the Hungarian partner.

THE PRESIDENT: How does ^{the} Counsel for the defendant justify this question?

DR. ASCHENAUER: That refers to the affidavit, NI-11370, paragraph 2. From the various cross-relations of the various companies I derived this question. He mentioned here Dynamit NOBEL, A.G., Pressburg. It is nothing except a question of clarification of this affidavit. This affidavit brings up this subject.

THE PRESIDENT: The objection is overruled.

WITNESS: I believe that it is true that Mr. WUELLER, DAG, Troisdorf, wanted to keep the partnership of the Hungarians in Pressburg because he was always on good terms with them in his business transactions, and he was a little suspicious of innovations and, therefore, it is quite likely that he objected or advised against this project and that the purchase of the minority of the shares was dropped. But I have no concrete recollection of this subject.

DR. ASCHENAUER: Thank you. No further questions.

That is to certify that the above document is a literal copy of the transcript from 29 October 1948, page 3013 and the following.

Muornberg, 1 April 1948

signed: Rudolf ASCHENAUER

Excerpt from SCHMITZ No.51:

AFFIDAVIT

I, Dr.Kurt KRUEGER, at present living in Rarholz, Krs.Schluedtern, having been duly advised that I shall render myself liable to punishment by making a false statement, herewith declare on oath that, to the best of my knowledge and belief, the statement which follows is true. It was made to be submitted as evidence to the Military Tribunal No.VI (case VI I.G.Farbenindustrie Aktiengesellschaft).

I was an employee of the I.G.Farbenindustrie Aktiengesellschaft from 1928 or thereabouts onwards. Amongst other positions I held that of head of the central finance administration office of I.G., Berlin NW 7, which dealt centrally with the financial business and transactions of I.G.

.....

Page 24 and following pages:

I can remember clearly the following incident. When a large number of applications for foreign exchange in connection with the payment of compensation to non-Aryans in our sales organizations in South Eastern Europe had accumulated at the Reich Ministry for Economic Affairs which could not be granted because the persons who then represented the Foreign Organization (Auslandorganisation) at the Reich Ministry for Economic Affairs refused to countersign the notifications of granting of applications, a conference between representatives of the I.G. and all the departments of the Reich Ministry for Economic Affairs concerned was arranged at the instance of Ministerialdirigent Dr.LANDWEHR who supported our point of view, for the purpose of reaching a general decision on the question of policy with regard to the payment of such compensation. 18 - 20 persons in all were present at that meeting. My assistants and I together with the representatives of the sales organizations of the

I.G. fought at that meeting with such determination for the permits for which we had applied, that one of the representatives of the foreign organization present - I have forgotten his name - remarked during the meeting, that "the gentlemen of the I.G. were fighting for the claims of the Jews, as if they were their own claims. They seemed to have no idea as yet of the spirit of the third Reich."

.....

Miesbach, 31 December 1947

signed: Kurt KRUEGER

URNR 1334/1947

This is to certify that the signature on pages one and two of the original of this statement is that of Dr. Kurt KRUEGER, of Rarholz, Kreis SCHLUECHTERN, at present living at Stadolborghaus, Gemeinde Parsberg bei Miesbach. Dr. KRUEGER established his identity by presenting his identity card which contained a photograph, issued by Landratsamt Schluechtorn on 20 August 1946, No. T 125599.

Miesbach, 31 December 1947

signed: H. VOGEL, Notary

Fees reg.no. 1334
Value: 3000.— RM
Par. 39.....4.—RM
Turnover tax.....0.15 "
Saldo.....4.15 RM

Justizrat
Heinrich VOGEL
Notary in Miesbach
(Stamp)

signed: H. VOGEL, Notary

Excerpt from Document No. 176 BUETEFISCH

Affidavit

I, Dr. Friedrich HEITIG, born on 19 July 1898, residing in Holz-
minden, Moltkestrasse 3, have been warned that I render myself liable to
punishment if I make a false affidavit. I declare upon oath that my
affidavit is true and was made in order to be submitted as evidence
to the Military Tribunal in Nuernberg, Germany.

I joined the Leuna Works as a chemist in 1928. Approximately in
1941 I became an assistant to Herr Dr. BUETEFISCH and worked to-
gether with him until the collapse. From 1931 until 1941 I had to
assist Herr Dr. BUETEFISCH in his activities of technical manager of
the Leuna Works. At the end of 1941, ⁸parto I of the I.G. Farben asked
me through the medium of Herr Dr. BUETEFISCH to take over the management
of the Moosbierbaum Works and to make the planning for the mineral
oil plant.

.....

In 1940, the Armonia Works Ltd. in Merseburg, which belonged to
the Leuna Works, were ordered by the Plenipotentiary for Chemistry to
build for the Air Force a plant for the de-hydration of crude oil gaso-
line in the South-Western area. As I learned afterwards, the small
refining plant of the "Gasolin" in Korneuburg near Vienna was first
taken into consideration as the location of this new plant. But as this
area was not sufficiently large and flood-proof, the plant was eventual-
ly erected in the more favorable area of Moosbierbaum and adjacent to
the plant of the "Donauchemie". For this purpose, the Merseburg
Armonia Works rented an appropriate area from the Donauchemie and made
with this association a contract according to which the Donauchemie
furnished the workers for the plant.

Document Book IV GATTIEAU
Document GATTIEAU No.
(Exh. No.)
(BUETEFISCH - Doc. 176)

and, at the beginning, also the necessary power, the workshops and roads.

Herr BUETEFISCH had to supervise the planning of the mineral oil plant in Moosbierbaum. He saw to it that production was carried out in a manner which was technical and gave the necessary orders. The necessary programmes for new constructions had likewise to pass through his hands before they were submitted to the Sparte I for the final approval of the TEA and of the Vorstand of the I.G. Farben, but he had nothing to do with the management proper, with the labor allocations and with welfare matters.

.....

Holzwinden, 17 January 1948

(signed): Dr. Ing. Friedrich HEITIG.

Document Roll No. 9 for 1948

The foregoing signature of Herr Dr. Ing. Friedrich HEITIG, Holzwinden, made before me, is certified herewith.

Holzwinden, 17 January 1948.

(signed): signature

Notary Deputy.

(Rubber stamp):

Richard WINCKMEIER,

Notary in Holzwinden.

Specification of Goats:

Value 3,000.-RM

Fee, under section 26,39, 5/20 4.-RM

(signed): signature

Notary Deputy

This is a true and literal copy of the document
BUR 176; Nuernberg, 18 February 1948.

(signed): Dr. Hans FLAESSNER
(Dr. Hans FLAESSNER).

Excerpt from HAEFLIGER Document No. 39:

Affidavit.

I, Guenther SCHILLER, resident of Weinheim a.d. Bergstrasse, Freudenbergstrasse 40, have been cautioned that by making a false statement I render myself liable to punishment. I declare on oath that my statements are true and were made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

In the beginning of 1929 I joined the I.G. Farbenindustrie Aktiengesellschaft in Berlin, namely the department "Nitrogen for Technical Purposes". Until 1938 I acted alternately as manager of the Kaufmaennische Ausschuss Buero - Office of the Commerical Committee -, manager of Sekretariat II, and as personal assistant to Dr. ILGNER. In 1935 I went to Vienna as manager of the Austrian I.G. Farben representation of the Anilinchemie A.G. With regard to my activities there, I would direct attention to my affidavit of 31 October 1947 which was submitted by Dr. ILGNER's Defense Counsel.

Page 3 and following pages:

..... Following this the sale of the Skoda-Wetzler-shares to the I.G. Farben was discussed, in which connection General-direktor JOHAM stated, that under the altered circumstances he was prepared to comply with a previous wish of the I.G. to acquire a majority of the shares. The I.G. exerted no pressure

(page 2 of original)

whatsoever on their Austrian partners in this direction, particularly since at that stage of the negotiations we still had no idea whether the authorities would approve of the I.G.'s participation in the Skoda-Wetzler A.G. at all. In this connection I would like to point out that at that time the I.G. was greatly mistrusted, particularly by the Party offices concerned with the Austrian matters, which was also revealed by the appointment of commissioners, mentioned elsewhere in this document. I am wholly convinced that this mistrust was founded on the fact, that until the Anschluss, the I.G. had retained non-Aryan employees in their positions in Austria, despite repeated complaints by Party officials. In my opinion the lack of any pressure on the part of the I.G. is also revealed by the fact that according to the aforementioned letter of 29 March 1938, JOHAM openly discussed the question of evaluation of the shares, and stated that in his opinion, the future prospects of the enterprise were more favorable due to the Anschluss, and therefore a price exceeding the normal value of the shares would have to be paid. I would also like to emphasize, that as far as I remember, this discussion with Herr JOHAM was conducted in a friendly manner and without any acrimony as was in keeping with the spirit of the negotiations which had been carried on for years.

Document Book IV GATTINEAU
Document GATTINEAU No.
Exh. No.
(Document HAEFLIGER No. 39)

(page 3 of original)

The above signature acknowledged by me to be that of Herr
Guenther SCHILLER, resident at Weinheim a.d. Bergstrasse,
Friedenbergstrasse 40, was affixed here before me,
Dr. Wolfram von METZLER, Nuernberg, on 31 October 1947, and is
hereby certified and attested by me.

Nuernberg, 31 October 1947

signed: Dr. Wolfram von METZLER
Dr. Wolfram von METZLER

Attorney

Assistant Defense Counsel
for the Defendant Paul HAEFLIGER
Case No. VI

I certify that this is a verbal and correct copy of the above
document.

Dr. Wolfram von METZLER
Attorney-at-Law

Affidavit

I, Walter RAFELSBERGER, at present Nuernberg, Palace of Justice, born on 4 August 1899 in Vienna, am aware of the fact that I make myself liable to punishment if I make a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal in the Palace of Justice, Nuernberg.

About one month after the Anschluss of Austria to the German Reich, i.e. in the second half of April 1938 I became a state commissar in the Austrian private industry. My duty was to see to it that industry could with the least interference fulfil its tasks in the spirit of the new government. To my duties especially belonged the appointments to the leading positions in industry, and also in certain cases the granting of exceptional permissions to the "Decree Concerning the Limitation to Great Industrial Enterprises and Plants in Austria" of 19 March 1938.

In the first weeks after the Anschluss the Oesterreichische Creditanstalt Vienna like most other enterprises in Austria might have met with certain difficulties. These difficulties can only have been of a temporary nature and at all events had no consequences for the company. On the one hand I owe my information to my activity as a state commissar and on the other hand to my membership in the Aufsichtsrat of the Creditanstalt into which I was elected towards the end of 1938 or in the beginning of 1939.

Although Herr JOHAM was no longer Generaldirektor of the Creditanstalt after the Anschluss, he remained a Vorstand member with equal rights until 1945; with the exception of a short activity of Dr. FISCHBOECK the Creditanstalt had no Generaldirektor or

(page 2 of original)

chairman of the Vorstand, but only a Vorstand speaker in the person of Herr Director BUZZI during that period. Within the Vorstand Herr JOHAM always held an independent position commensurate with his especial abilities as a businessman. Although Herr JOHAM was again and again attacked by circles of the Creditanstalt's employees and by the SD, these attacks were not injurious to his person or to his position because I shielded him against them.

The Creditanstalt possessed extensive participations in industry and had more the character of a holding bank than that of a commercial bank. It was the aim of State Industry Control to develop the Creditanstalt into a large commercial bank for the Southeast. The Vorstand, including Herr JOAHM, had no objection to this plan, but quite comprehensibly clung to the industrial participations as far as possible. To a certain extent I supported this policy because as far as possible I only was in favor of a sale of the Creditanstalt's industrial participations at a period of time when capital would have accrued to a sufficient extent in Austria.

I neither know whether in the case of I.G. Farben's purchase of the Skoda-Wetzler shares pressure was brought to bear on the Creditanstalt nor have I reason to assume this. Also during my activity as Aufsichtsrat of the Creditanstalt I at least heard no such complaint of the Creditanstalt's Vorstand. Fundamentally no objections of the State Industry Control in Austria existed as to the purchase of plants on the scale planned by I.G. Farben, as on the contrary a corresponding extension of these plants could thereby be expected. That I.G. Farben was not considered as a

(page 3 of original)

National Socialist enterprise is shown by the fact that state commissars were appointed to the Austrian plants of I.G. Farben.

Referring to Herr JOHAM's statement, that in the sale he was obliged to accept German paper currency instead of Austrian gold currency, it must be said, that at that time Herr JOHAM certainly did not value the Mark less than the Schilling. A loss on the part of the Creditanstalt in the purchase price must have finally appeared in the balance accounts somehow; besides the Vorstand would have unquestionably given air to its complaints to me during my later activity in the Creditanstalt's Aufsichtsrat, which did not occur.

Nuernberg, 5 November 1947

signed: Walter RAFELSBERGER

The above signature of Herr Walter RAFELSBERGER, Nuernberg, Palace of Justice, affixed before me today is hereby certified and attested by me.

Nuernberg, 5 November 1947

signed: Dr. Walter BACHEM

A f f i d a v i t.

I, Walter RAPELSBERGER, Dipl. Ing., a chemist, born on 4 August 1899 in Vienna, at present in the Court prison in Nuernberg, have been warned that I shall render myself liable to punishment by making a false affidavit. I declare upon oath that my affidavit is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I have been confronted with the affidavit of Dr. Josef JOH'M, Doc. No. NI-10993, Prosecution Exh. No. 1067, Doc. Book 52, page 44 of the English transcript. In supplement to my elaborations in my affidavit on behalf of the defendant Dr. ILGNER in the I.G. Farben-case I can declare the following:

- 1.) With respect to page 2 of the original: "We did not see any reason why we should convert the intrinsic value of these holdings, together with the latent reserves, into Austrian shillings which would have lain more or less idle."

This corresponds to the situation prior to 1933. The Creditanstalt was actually more a holding-bank and had only a limited domestic banking business and proportionally small foreign interests. This situation of the Creditanstalt underwent a considerable change after 1933. This institute was to become the biggest Vienna commercial bank as regards the South-East. This had the full approval of the Vorstand of the Creditanstalt, and it was Dr. JOH'M himself who did a big and successful business in the South-East during the following years.

There were much less difficulties as regards investments in the years after 1933 than before, and the Creditanstalt had at its disposal sufficient reserves even then.

- 2.) With respect to the sentence: "After the annexation of Austria by Germany in March 1933, an entirely new situation naturally arose for the enterprise, owing to the fact that it was no longer the will of its owner

(page 2 of original)

which decided its fate but that of state controlled economy. Enterprises and their owners, and this applies to the Creditanstalt, were no longer free in their decisions but were bound by the orders and recommendations of Party and State economic advisers."

Not the state alone decided on the fate of the enterprise even after 1938, but it was the Vorstand of the Creditanstalt who usually approved the recommendations of the State and Party advisers with whom they maintained very good relations, frequently after lengthy

negotiations, but who frequently also did not consent so that the advisers either had to change their plans after an agreement with the Vorstand or had to drop the plan completely. I was one of these advisers myself, and FISCHDOECK was another one.

- 3.) With respect to the sentence (Page 3 of the original): "After almost 10 years I can no longer remember the details of the pressure which was applied precisely in the case of Skoda-Wetzler to bend the will of the Creditanstalt."

In consideration of the importance of the Skoda-Wetzler action which JOHANN especially mentions, he certainly would remember even after 10 years if there had been any pressure. He did remember in the case of the "Continental Shipping", did he not? I, too, do not remember anything like that. I have never heard any complaints to that effect, but I did hear complaints by JOHANN about shares which were transferred to the Reichswerke. As regards the Reichswerke, GOERING may have brought pressure to bear, but most certainly not the I.G. Farben which were not considered a National Socialist enterprise. Neither was any pressure brought to bear by me, as former State Commissioner for the Private Industry.

- 4.) With respect to the sentence (Page 3 of the original): "When the gaps in the Vorstand were filled, Dr. Rudolf WELIFFER who had held quite a modest position up to now, was called in on account of his party ties, and he at once took charge of the negotiations concerning Skoda-Wetzler and subsequently undertook the conclusion of the sale."

(page 3 of original)

Most certainly, Dr. REIFFER was not appointed to this office without the consent of the Vorstand, with Dr. JOHANN participating. That would not have been possible at all, considering the structure of the Creditanstalt. Dr. REIFFER had never a strong position in the Vorstand, he was considered a very weak man who had been delegated to the Vorstand upon the request of the personnel.

(signed): RAWEISBERGER.

- 3 -

- 5.) With respect to the sentence (Page 4 of the original): "That our very real disinclination to part with this valuable majority stock had increased even more, is a matter of course. For, now we no longer even had our own gold currency, Austrian shillings, in return, but German Reichsmark, a paper currency. The will of the Creditanstalt, however, was completely eliminated at the time."

The very experienced banking expert, Dr. JOHANN, certainly knows that the contra-position of German Reichsmark, a paper currency, and Austrian shillings, a gold currency, had to be looked at from another angle in consideration of the situation prevailing at that time. And most certainly he also knew that much more could then be done with the "Paper Mark" than with the Austrian "Goldshilling". For sure, the actual disinclination to part with these shares was not increased by this reason. And it is probable that, on the contrary, the disinclination of Dr. JOHANN was less pronounced at that time than before. He depicts in this case the memories of 1938 from the view-point of 1945.

- 6.) With respect to the sentence (Page 4 of the original): "When about half a year later, it gave up its holdings, the Creditanstalt did not succeed in obtaining any satisfaction of its wishes so that the Creditanstalt felt itself harmed materially as well, and for this reason, immediately after the liberation of Austria, it lodged a claim with the Ministry for the Safeguarding of Property and Economic Planning for annulment and restoration."

(page 4 of original)

I am not familiar with the conditions of sale of the Skoda-Wetzler holdings. But I am convinced that they were not unfavorable. Most certainly, JOH'M or other members of the Vorstand of the Creditanstalt would have told me that, considering the good relations which prevailed between us - for a long time I was a member of the Aufsichtsrat in the Executive Committee, and that without any coercion but upon the request of the Vorstand. I have never heard any complaints to that effect.

As regards the coercion mentioned in JOH'M's affidavit, I may add in conclusion that it would hardly have been possible to exert any pressure without my knowledge. And that is not the case. Never would the I.G. Farben have been able to exert such a pressure without our getting aware of this fact. And nothing has come to our knowledge about such steps either.

(signed): RAVELSDERGER.

- 4 -

Likewise I have no knowledge whatsoever about any pressure having been exerted by any other party, neither of a political, economic or Party agency, on the occasion of the sale of the Skoda-Wetzler holdings.

I carefully read this affidavit, consisting of 4 pages and signed it with my own hand; I made the necessary corrections and confirmed them with my initials.

I herewith declare upon oath that the facts contained in my affidavit are true to my best knowledge and belief.

Munich, 27 January 1943. (signed): Walter RAVELSDERGER.

The foregoing signature of Herr Walter RAVELSDERGER is herewith certified by me, Dr. Helmut DUERR, Assistant Defense Counsel for Herr GATTINEAU.

Munich, 27 January 1943. (signed): Dr. Helmut DUERR.

Cross Examination

of Josef JOHANN by Dr. v. METZLER
(Hearing before a Commission) of 6 February 1948, A.M.
Page 6605/6606 of the German Transcript.
Page 6605/6606:

By Dr. v. METZLER:

Q: Immediately before the recess I announced a few questions
I am going to direct to you in connection with the purchase
of the Skoda-Metzler shares by I.G. Farben after the Anschluss.
Did Farben - or, to say it more correctly, the gentlemen
who conducted the negotiations on behalf of I.G. Farben, exert
any direct pressure on the Creditanstalt which prompted the
Creditanstalt to sell these shares to Farben?

The Commissioner: That question can be answered again by the
single word, "yes" or "no".

The Witness: No.

By Dr. von METZLER:

Q: Now, may I be permitted to ask further questions -- in
paragraph 2 on page 2, original page 2 of your affidavit,
Exhibit 1067, you stated and I quote: "After the annexation
of Austria by Germany in March 1938 an entirely new situation
naturally developed for the enterprise, owing to the fact that
it was no longer the will of its owner which decided its fate
but that of state controlled economy".

(page 2 of original)

Now I further quote:

"Enterprises and their owners, and this applies to the Creditanstalt, were no longer free in their decisions but were bound by the orders and recommendations of party and state economic advisers". Now, to follow up your statements, Dr. JOHAM, I ask you: Did Farben exercise any direct pressure on the Creditanstalt through other agencies which prompted it to sell or otherwise relinquish its possession of stock? To conclude my question, are any facts known to you in these connections?

A: I cannot, and I could not, state whether or not any gentlemen of the I.G. took a direct influence in exercising any indirect pressure, but, we were under pressure and only under this pressure we saw ourselves compelled to sell our stock.

Q: Dr. JOHAM, was it not the general trend of development in those days -- not at least the economic development -- of such a nature that you found yourselves in a situation of duress?

A: It certainly played some part.

.....

I certify that the above document is a literal excerpt from the transcript of 6 February 1948, page 6605/6606.

Nuernberg, 1 April 1948

signed: Rudolf ASCHENAUER

Counsel for the Defense

A f f i d a v i t

I, Wilhelm K E P P L E R, born on 14 December 1882 in Heidelberg, at present in Nuernberg, having been advised that my statement is to be submitted as evidence to the American Military Tribunal in Nuernberg, Case VI, and that the making of a false affidavit is punishable, herewith declare the following under oath:

I recall that, after the annexation of Austria, representatives of the I.G. approached me with a view to secure my approval for the transaction of the purchase of the majority of the shares of the Skoda-Wetzler Works A.G., as this was in conformity with the legal directives. In this connection they mentioned that this was the end of negotiations which had been going on for several years and the conclusion of which was imminent.

As the reasons submitted for the re-organization of the Skoda-Wetzler Works A.G. and of the ^{IV}Cabido Works Deutsch-Matrei A.G., seemed to me to be reasonable and in the Austrian interest, I approved the transaction on my part.

According to my general directives; the matter then was probably channeled by my office through the Austrian Ministry of Economics to the Staatskommissar for Private Economy in Austria, RAFFELBERGER. The I.G. did in no way demand of myself or of my office to exert any pressure on the Kreditanstalt in order to get them to part with the majority of the shares. Neither do I recall in any way that any other office exerted pressure on the Kreditanstalt so that they should hand the majority of the Skoda-Wetzler shares to the I.G.

Document Book IV GATTIEAU
Document GATTIEAU No. 70
Exh. No.

Before the Annexation of Austria I never had any discussion with
the I.G. regarding the Skoda-Wetzler Works.

Nuernberg, 2 February 1948

signed: Wilhelm KEFFLER

Above signature of Mr. Wilhelm KEFFLER, given in his own hand before
me, is herewith certified and attested to.

Nuernberg, 2 February 1948

signed: Dr. SCHUBERT

Attorney-at-Law

A f f i d a v i t.

I, Hans KEHRL, at present imprisoned at Nuernberg, have been warned that by making a false affidavit I render myself liable to punishment. I herewith declare on oath that my statements are true and were made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

From 1 February 1938 I was manager of the Textile Department of the Reich Ministry of Economy and General-referent for Special Tasks in this Ministry. In my latter capacity, I was delegated to Vienna by the Reich Ministry of Economy in the middle of March 1938, at first as liaison officer between the Reich Ministry of Economy and the "Reich Plenipotentiary for Austria", Wilhelm KEPPNER, and as of May 1938 to Reichskommissar BUECKEL. In both capacities I was concerned with the economic problems which arose from Austria's inclusion into the German economic sphere.

Before Austria's Anschluss to Germany, i.e. before March 1938, I at no time discussed questions dealing with Austria and the participation of German firms in Austrian enterprises with any gentlemen of I.G. Farben.

Furthermore, I do not know of any instance where the I.G., after Austria's Anschluss to Germany requested an official agency to exert pressure on the Austrian Kreditanstalt Wiener Bankverein,

(page 2 of original)

in order to induce this banking house to sell its shares in the powder factory, Skodawerke Jetzler A.G. to the I.G.

Neither did I ever learn that pressure was exerted in this direction by any other agency, or that the I.G. was requested to exert such pressure.

Nor did I receive instructions from the Reich Ministry of Economy or from the Plenipotentiary of the Four Year Plan, to intervene on behalf of the I.G. in the matter concerning the sale of the Skoda-Werke shares.

Nuernberg, 25 February 1940 signed: Hans KEHRL
(Hans KEHRL)

- - - - -

I hereby certify and attest the above signature, affixed before me, to be that of Herr Hans KEHRL.

Nuernberg, 25 February 1940 signed: Dr. GRUBE
Attorney
(Dr. GRUBE)

- - - - -

Certified A True Copy.

signed: Dr. Wolfram von
METZLER
Attorney.

Excerpt from the Vorstand Minutes of the Donauchemie

As of 24 October 1941:

16) Resettling of the plant-manager question:

a) Vienna: Herr Dr. GATTINEAU

b) Moosbierbaum: Herr Dr. HENNING.

The plant administration will be taken over by Herr Dr. HENNING only after he is continuously resident in Moosbierbaum. Until then the ruling as of heretofore remains in force.

c) In the other plants it has been provided, that Herr Dr. HACKHOFER be installed as plant-manager, and the plant-managers in the respective plants up to date as his assistant-managers.

The method of the execution must first yet be discussed with the Reich Trustee of Labor.

I certify that the afore-going document is a true and correct excerpt from the Vorstand minutes of 24 October 1941.

Nuernberg, 1 April 1948

signed: Rudolf ASCHENAUER
Defense Counsel

Austrian Revenue Stamp
2 Schilling

Affidavit

I, Ludmilla GEISLINGER, born 5 September 1899 in Vienna, Roman Catholic, secretary to the management of the Donau Chemie A.G., Vienna, residing: Vienna I, Singerstrasse 4, have first of all been warned that I render myself liable to punishment if I make a false declaration under oath. I declare herewith under oath, that this statement made by myself corresponds to the truth, and that it was made to be submitted as evidence before Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

1.) Pursuant to the decision of the Aufsichtsrat conference of the Donau Chemie A.G. of 24 October 1941:

- a) Herr Dr. Heinrich GATTINEAU was put in charge of the management of the administration office of the Donau Chemie A.G., Vienna,
- b) Herr Dr. Friedrich HENNING, was placed in charge of the management of the Plant Moosbierbaum
- c) Herr Dr. Ernst HACKHOFER, was placed in charge of the management of the remaining plants (Brueckl, Landeck, Liesing, Simmering and Leopoldau), and the aforementioned occupied these posts from this date to the end of April 1945.

2.) Dr. GATTINEAU's bearing toward the Austrians was beyond reproach in every respect.

He constantly proved his oft-emphasized special sympathy for us Austrians, not only by his friendly attitude in general, but also in particular by his social attitude, justness, and readiness of help to everyone, in which connection he let himself be governed only by purely human considerations, never paying attention to or even favoring political attitude or party membership in the NSDAP. For this reason he enjoyed universal

(page 2 of original)

popularity and maintained also among the entire personnel a good memory.

- 3.) In the administration office of the Donau Chemie A.G., Vienna, there were no foreign workers or prisoners of war employed, nor was the administration in Vienna occupied at all with problems concerning the allocation of foreign labor or problems concerning prisoners of war.

signed: Ludmilla GEISLINGER

I have written down this affidavit consisting of 2 pages and have signed it in my own hand.

I declare herewith under oath, that the facts mentioned by myself in this affidavit correspond to the whole truth to the best of my knowledge and belief.

Vienna, 11 October 1947

signed: Ludmilla GEISLINGER

Austrian Revenue Stamp
2 Schilling G.Z. 1.760/1947

I certify the authenticity ^{of} /the foregoing signature given before me of Frau Ludmilla GEISLINGER, management secretary in Vienna I, Singerstrasse 4. - The personal identity of the person was proven to me by presentation of identity card No. S 20122/46, issued by the Police Headquarters, Vienna, 5 June 1946 with photograph and own signature. Vienna, 14 October 1947.

Fee for certification, revenue stamp and turnover tax S 9.20

signed: Dr. Franz HAUSA

Stamp:
Dr. Franz HAUSA
Notary Public, Vienna, Innere Stadt

Seal

Austrian Revenue Stamp
2 Schilling

Affidavit

I, Heinrich THIER, born 24 May 1891 in Vienna, Roman-Catholic, Chief Accountant of the Donau Chemie A.G., Vienna, residing Vienna IV, Wiedner Hauptstrasse 49, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statements are the whole truth and were made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice at Nuernberg, Germany.

In March 1941, when the then ^{Betriebsobmann} ~~shop steward~~ had to join the Army, I was appointed ^{Betriebsobmann} ~~shop steward~~ of the Donau Chemie A.G. at his suggestion by the competent DAF leader despite my various objections, such as lack of time, short service in the firm and non-membership in the NSDAP, and in this capacity I frequently had to deal officially with the plant manager Herr Dr. GATTINEAU.

I may state frankly and without prejudice that I have always met with understanding and fairness on the part of Herr Dr. GATTINEAU in all dealings connected with the social problems of the employees of the Donau Chemie A.G., and that he personally protected me when the competent district leader demanded my removal as ^{Betriebsobmann} ~~shop steward~~ because I and the plant community did not take part in a rally and march-past. Herr Dr. GATTINEAU knew that I was no party member and always assisted my endeavours to maintain peace in the plant, making his decisions objectively and without bias in regard to the political attitude of the employees.

(page 2 of original)

On the basis of my experience and my observations I cannot but call Herr Dr. GATTINEAU a just, socially conscious and broad-minded plant manager to whom all employees owe a debt of gratitude.

I have signed in my own handwriting this affidavit consisting of one page.

I declare herewith on oath that the statements made by me in this affidavit are the whole truth to the best of my knowledge and belief.

Vienna, 11 October 1947

signed: Heinrich THIER

Austrian Revenue Stamp
2 Schillings G.2.1. 762/1947

I herewith confirm the authenticity of the above signature of Herr Heinrich THIER, Chief Accountant in Vienna IV, Wiedner Hauptstrasse 49, given in my presence. The identity of the party was established by the production of Identity Card No. W 22384/46, issued by the Police Directorate Vienna on 29 May 1946, with photograph and signature in his own handwriting. —

Vienna, 14 October 1947

Authentication Fee, Revenue Stamp and Sales Tax — S 9.20

signed: Dr. Franz HAUSA

Stamp:
Dr. Franz HAUSA
Notary Public
Vienna
Inner City

Affidavit

I, Dr. jur. Rudolf SCHMIDT, residing in Koeln-Marienburg, von Groote-
str. 35, know that I render myself liable to punishment if I make a
false declaration under oath. I declare under oath, that my state-
ment is the truth, and that it was made to be submitted as evidence
before Military Tribunal No. VI (Case v I.G. Farbenindustrie),
Palace of Justice, Duernberg, Germany.

On 1 September 1912 I entered the service of the Dynamit-Aktien-
Gesellschaft, formerly Alfred NOBEL & Co. (DAG), received the
Prokura in the fall of 1913 and was elected regular member of the
Vorstand on 1 April 1915. From this time on I was without inter-
ruption member of the Vorstand of the DAG up to the middle of 1943.

Due to my official position and activity I had complete insight
into the business management of the DAG, in particular also in
connection with A.G. Dynamit NOBEL Bratislava and A.G. Dynamit
NOBEL Vienna, in view of the fact that I was a member of the
administrative council in the former company, and assistant
chairman of the supervisory board in the latter.

I have been requested to submit an affidavit on the question as
to whether, in the acquisition of the carbide works (Carbidwerk)
Deutsch-Matrei and A.G. Dynamit NOBEL Vienna, the argument was
advanced by the DAG or the IG that these companies would be
regarded as Jewish enterprises if they would not be sold to IG
or to DAG, respectively. Herr MEYER-WEGELIN was supposed to
have assumed, Bratislava would have to take into account that the
profitability of the Austrian shares would be rendered doubtful if
the present share-holding conditions were maintained (reduced gain
due to price adjustment, difficulties attending Jewish enter-
prises, etc.).

Document Book IV GATTINEAU
Document GATTINEAU No. 47
Exh. No.

(page 1 of original, cont'd)

I am astounded to the highest degree that someone should get
the idea that the two companies Carbidwerk Deutsch-Matrei
and NOBEL Vienna were Jewish enterprises. Both firms . .

(page 2 of original)

were Aktiengesellschaften. They could thus be regarded Jewish enterprises only, if all their share-holders, or a majority of them, were Jews. However, they had only one share-holder, and that was the Dynamit NOBEL Bratislava - an Aktiengesellschaft. Of the latter the majority was with our LMG in Troisdorf.

Second Sheet

On the basis of ownership one can therefore not speak of Jewish enterprises. There remains only the notion to regard them as Jewish enterprises, because their Generaldirektor was a Jew. I do not know whether a company would be treated as a Jewish enterprise in the Third Reich because a member of the Vorstand was not Aryan. However, that may be left open. In this connection the question hinges on whether our side argued that the two Austrian holdings of Dynamit NOBEL Bratislava were Jewish enterprises because Herr PHILIPP was a Jew. This notion is downright absurd for someone who knows the conditions. A close friendship over decades bound the supervisors of our firm with Herr PHILIPP. Already our former Generaldirektor Dr. AUFSCHLAGER, deceased in 1934, never called Herr PHILIPP anything but "lieber Erwin". Herr PHILIPP was a member of our supervisory board. When I came through Vienna with my wife on a wholly personal trip, which had nothing to do with business, we were guests of Herr PHILIPP. After Herr PHILIPP died, I rode from Cologne to Budapest in order to pay him the last homage and to demonstrate officially our close relations, even though this was perhaps not altogether without danger for me. And then, one from out of our circle should have been so ill-mannered as to say to Herr PHILIPP: "Because you are a Jew the two companies count as Jewish enterprises." I state expressly, that in the conferences in Budapest in July 1938 the argument that the Austrian

(page 3 of original)

shares of Dynamit NOBEL Bratislava might be regarded as Jewish enterprises was not used. Neither have there ever been any considerations on our part in inter-office discussions that this argument might perchance be used.

One more thing has to be added here: When the negotiations took place in Budapest, Herr PHILIPP was already separated in effect. He refused to step on Austrian soil. For that reason indeed we met in Budapest. Thus he had already in effect resigned from the management of the Austrian holdings. The conference in Budapest was on 5 July 1938. On the same day Herr PHILIPP still travelled to Bratislava, where a meeting of the managerial board of Dynamit NOBEL Bratislava took place on the next day. And in this meeting of the managerial board Generaldirektor Dr. Paul MUELLER and His Excellency Philipp REISS were authorized to draw up a pension agreement with Generaldirektor PHILIPP.

Page 3

The particulars of the pensioning had already been discussed in Budapest on 5 July between Herr PHILIPP and Herr Dr. MUELLER.

In view of this situation the argument that the Austrian plants of Dynamit NOBEL Bratislava were Jewish enterprises, because Herr PHILIPP was a Jew, would have been completely meaningless.

Troisdorf, 30 January 1948

signed: Dr. jur. Rudolf SCHMIDT

Document Roll No. 137/48 H.

The afore-going signature given before me of Herr Dr. jur.

Rudolf SCHMIDT, residing in Koeln-Marienburg, von Grootestrass 35, is certified by me.

Siegburg, 30 January 1948

The Notary: signed: HARTMANN

Seal: Dr. Max HARTMANN
Notary (public) in Siegburg

Affidavit

I, Dr. Karl MEYER, born on 14 February 1896 in Guestrow i. Meckl., residing in Troisdorf, Kaiserstrasse, have been cautioned that I render myself liable to punishment if I make a false affidavit. I declare under oath that my statement corresponds to the truth and has been made in order to be submitted as evidence to Military Tribunal No. VI in the Court House, Nuremberg, Germany.

From 1 January 1939 until the capitulation in 1945, I was managing director of the A.G. Dynamite NOBEL, Bratislava, and I can state the following: I have been informed of the allegation that, in the negotiations concerning the purchase of the Aktiengesellschaft Deutsch-Matrei and the Austrian Dynamite NOBEL A.G., the argument played a part that these societies might be regarded as Jewish property, if Bratislava would not consent to the sale.

I participated in almost all the discussions which concerned this sale and I can give the assurance that this point of view did not play any part. It also is quite incomprehensible to me, how this point of view could have arisen at all, because these societies never had been Jewish property. 100% of the shares of both societies were in the hands of the Aktiengesellschaft Dynamite NOBEL, Bratislava. But the majority of the shares of the Dynamite NOBEL Bratislava was held by the Dynamite Aktienges-

gesellschaft formerly Alfred NOBEL & Co. in Troisdorf.

Even from the fact that the management of these societies was in Jewish hands, one could not draw the conclusion that these societies could be regarded as Jewish property. The leading men were employees of the societies and not their owners. I do not know of any case where, during the time of the Third Reich, an enterprise was regarded as Jewish property because some of their leading employees were Jews. It is true that a demand was made in such cases that the Jews had to renounce their offices and full powers, but these enterprises never were regarded as Jewish property.

I have carefully read through this affidavit consisting of one page and have signed it in my own hand, I have made the necessary corrections and have initialed them.

I herewith declare under oath that the facts as stated by me in this affidavit correspond to the full truth according to my best knowledge and belief.

Troisdorf, 3 February 1948 signed Dr. Karl Moyer

Document Register No. 187 for 1948

This signature on the preceding page of Dr. Karl MEYER, Chemist, residing in Troisdorf, Kaiserstrasse, is hereby verified by me as given in my presence.

Troisdorf, 12 February 1948

The Notary:

signed: Dr. Max HARTMANN

Seal:

Dr. Max HARTMANN

Notary in Siegburg.

Affidavit

I, Dr. Guenther BERGEMANN, born ^{on} 15 November 1902, Protestant, Ministerialdirektor, Hamburg 1, Ferdinandstr. 56, having been cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement corresponds to the truth and was made in order to be submitted as evidence before the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I was transferred into the Laender Department of the Reich Ministry for Economics at the end of September or the beginning of October 1938. I was earmarked as its chief but did not take up this office before the end of 1938 at the earliest. Until that time I accustomed myself to the work by acting as deputy of my predecessor.

In regard to the copies remitted to me on 13 December 1947, i.e.

- 1.) a letter from the IG to me, dated 12 December 1938, and
- 2.) a file note of the IG central finance administration, dated 13 December 1938,

I state as follows:

Although I do not recall that TERHAAR and KERSTEN approached me in the middle of December 1938 concerning the transfer of the Austrian interests of the DAG Pressburg, I do not doubt the correctness of the contents of the above-mentioned documents. Before and during the government committee meetings, German firms frequently used to ask the Reich Ministry for Economics, the Reich Ministry for Food, or the Foreign Office that their projects, which depended on the agreement of foreign authorities, be brought up in the government negotiations.

page 54 of original

My agreement, mentioned in the file note of 13 December 1938, can only have meant that I was willing to pass on the application of the IG to the German government committee for the economic negotiations with Czechoslovakia.

Probably I then did this by reporting the matter to the then Senior Government Councillor von WEDELSTAEDT, who dealt with the economic transactions with Czechoslovakia in the Laender Department of the Reich Ministry for Economics and who belonged to the government committee.

I do not know whether and in what manner the matter was dealt with further. I was not a member of the government committee, whose chairman at that time probably was a representative of the Foreign Office.

I do not remember having dealt with the question of the transfer of the Austrian interests of the DAG Pressburg or having been approached again by the IG.

This applies also to the period of my work as chairman of the German government committee for the economic negotiations with Slovakia (spring of 1939 until fall 1942). Unless the application of the IG had been approved by the Czechoslovakian National Bank, the Slovak National Bank was competent to approve it from the spring of 1939 on. Any differences of opinion between the Slovak National Bank and the IG would then have had to be ^hashed out between the German and the Slovak government committees. If the matter had been discussed there it must have resulted in agreement in a subcommittee of the specialists. Otherwise I, as chairman of the government committee, would undoubtedly have been called in. The Slovak government representatives, as on numerous other occasions, would have requested my help, as they knew that I always tried to preserve the independence of the Slovak economy. Likewise, the IG - and especially Dr. GATTIEAU - would have been certain to approach me in the first place if they had desired the government committee to exert influence on Slovak authorities.

I have carefully read through this affidavit, consisting of 2 pages,

and have signed it.

I hereby declare on oath that the facts stated by me in this affidavit correspond to the full truth according to the best of my knowledge and belief.

Hamburg, 16 February 1948

signed: Dr. Guenther BERGMANN

I hereby certify the signature of Ministerialdirektor Dr. Guenther BERGMANN.

Hamburg, 16 February 1948

signed: signature illegible

Seal: Main Administration of Navigation
of the American and British Zone of
Occupation

A f f i d a v i t.

I, Dr. jur. Rudolf SCHMIDT, resident of Koeln-Marienburg, von Grootestr. 36, know that I am liable to punishment if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to the Military Tribunal in the Palace of Justice (No. VI, Case 6 - IG Farbenindustrie), Nuernberg, Germany.

I joined the Dynamit-Aktien-Gesellschaft formerly Alfred NOBEL & Co. (DAG) on 1 September 1912, became a Prokurist there in the autumn of 1913 and was appointed a regular member of the Vorstand on 1 April 1915. From that time on up to the middle of 1946 I was continuously a member of the Vorstand of the DAG.

Because of my official position and activity I had a full insight into the management of the DAG, in particular also into all dealings in connection with the A.G. Dynamit NOBEL Bratislava and the A.G. Dynamit NOBEL, Vienna, the more so since I was a member of the Verwaltungsrat with the former and deputy chairman of the Aufsichtsrat with the latter.

As to the questions put before me I make the following statement:

- 1.) "Since when does Troisdorf control 51 per cent of the stock of the A.G. Dynamit NOBEL Bratislava?"

The A.G. Dynamit NOBEL Bratislava came into being - I think it was in 1923 - by the transformation of the A.G. Dynamit NOBEL Vienna into the A.G. Dynamit NOBEL Bratislava. According to a conversation between Generaldirektor PHILIPP with Dr. Karl MEYER, this transformation was due to Communist tendencies which existed in Austria in 1923. Herr PHILIPP feared that as a result of these tendencies the A.G. Dynamit NOBEL Vienna might be nationalized. The transformation was made to evade this, as there was no danger of such a nationalization taking place in Czechoslovakia.

(page 2 of original)

The capital of Austrian crowns 13,200,000 was converted into Czech crowns 13,200,000. There was no issuance of new shares, but the shares which were made out to the A.G. NOBEL Dynamit Vienna in Austrian crowns were converted into Czech crowns; for instance, not converted Vienna shares were traded as Bratislava shares at the stock exchange as late as 1926.

page 2

Simultaneously with the transformation, an Austrian Dynamit NOBEL A.G. Vienna with a company's capital of Schilling 1,200,000 was founded, into which were brought the Austrian plants of the previous A.G. Dynamit NOBEL Vienna. The entire capital of the new Vienna company remained in possession of the A.G. Dynamit NOBEL Bratislava.

Thus the A.G. Dynamit NOBEL Bratislava is nothing else than the old A.G. Dynamit NOBEL Vienna. The latter has arisen, however, from our German Dynamit Aktiengesellschaft generally. Our D.G. was founded on 25 July 1876 as "Deutsch-Oesterreichische Dynamit Aktiengesellschaft formerly Alfred NOBEL & Co., Hamburg". As early as 9 November 1877 the name of the firm was changed into "Dynamit Aktiengesellschaft formerly Alfred NOBEL & Co., Hamburg", because the A.G. Dynamit NOBEL Vienna was separated for economic and political reasons. Right from the beginning the D.G. continued to hold an approximately 50 per cent interest in this A.G. Dynamit NOBEL Vienna.

To the question: "Since when does Troisdorf control 51 1/2 of the stock of the A.G. Dynamit NOBEL Bratislava?"

My answer is this: Since its foundation. The interest differed between 45 and 51,3 per cent. In July 1938 it was 51,10 per cent.

2.) "What financial interests did the Dynamit NOBEL Bratislava hold in Austria and since when?"

The A.G. Dynamit NOBEL Bratislava since its foundation owned the full stock capital of

a) the Austrian Dynamit NOBEL A.G., Vienna, with nominal Schilling 1,200,000;

(page 3 of original)

- b) the Carbidwerk Deutsch-Matrei A.G., with nominal Schilling 2,300,000.

3.) "What are the names of the plants involved?"

The Dynamitfabrik St. LAUFEBACH and a smaller black powder mill in the vicinity of Wiener Neustadt which was sold later on, the Carbidwerk Deutsch-Matrei with the Bruckl, Landeck and Deutsch-Kagram plants.

4.) "Did you participate in the Budapest discussion in the latter part of the summer of 1933?"

Yes, I did. The discussions took place in Budapest on 5 and 6 July 1933.

page 3

5.) "What was decided there?"

Professor Dr. MUELLER and Generaldirektor PHILIPP now approved of the general plans of 1927, and a merger of the Austrian chemical works of the A.G. Dynamit NOBEL Bratislava with the plants of the Skoda-Werke Vetzlar A.G. was found to be the right thing. Moreover, there was a desire to transfer the management of the A.G. Dynamit NOBEL Bratislava, which had so far been practically in the hands of the Austrian Dynamit NOBEL A.G. in Vienna, out of the Reich territory to Bratislava. To contemplate these measures, discussions took place on 5 and 6 July 1933 - the decisive one was on 6 July in the building of the Hungarian Commercialbank in Budapest. The list of the participants included:

Professor Dr. MUELLER, Dr. Karl MEYER and myself,
as representatives of the Dynamit A.G. Prosdorf;

Generaldirektor PHILIPP,
as representative of the A.G. Dynamit NOBEL,
Bratislava;

His Excellency Philipp REISS and His Excellency
CHOMIN,
President resp. Vice-President of the Hungarian
Commercialbank, Budapest,
as representatives of the 20% minority in-
terest of the Bank in the A.G. Dynamit NOBEL
Bratislava;

Dr. ILGNER, Dr. GATTINEAU, and Dr. FISCHER,
as representatives of the I.G.

which indeed was to bring its chemical interests into the
A.G. Dynamit NOBEL, Bratislava.

(page 4 of original)

Subject to the approval by the Council of directors of the I.G. Dynamit NOBEL Bratislava, the following was unanimously agreed upon:

- 1.) The I.G. Dynamit NOBEL Bratislava sells of its stock of nominal Schilling 1,200,000 of Austrian Dynamit NOBEL I.G. shares, nominal Schilling 240,000 to the I.G. Farbenindustrie and nominal Schilling 960,000 to the DAG Troisdorf; and of its stock of nominal Schilling 2,300,000 of Carbidwerk Deutsch-Matrei shares, nominal Schilling 2,240,000 to the I.G. and nominal Schilling 560,000 to the DAG Troisdorf.

The fact that Bratislava did not sell forthwith the entire NOBEL Vienna stock to the DAG Troisdorf, and the entire stock of the Carbidwerk Deutsch-Matrei to the I.G., can be ascribed to reasons pertaining to taxation. From the beginning it was the intention - which also found its implementation very soon - that the DAG Troisdorf was to cede to the I.G. nominal Schilling 560,000 of Deutsch-Matrei shares, and the I.G. to the DAG Troisdorf nominal Schilling 240,000 of shares of the I.G. Dynamit NOBEL Vienna.

page 4

- 2.) In addition, Dynamit NOBEL Bratislava bound itself for a term of 25 years beginning 1 July 1933 to abstain in the territory of the German Reich including that of the former Austria from any production whatsoever, directly or indirectly, of those articles which belonged to the range of production of the I.G. or DAG.
- 3.) From my own knowledge I cannot say with certainty how the interests were distributed between NOBEL Bratislava and NOBEL Vienna; according to the data accessible to me, 32 per cent of the Ipari Robbano-Magyar R.T., Budapest, fell to Bratislava, 12 per cent to Vienna, and of the Firma Societate Romana de Explozivi, Bucharest, 20 per cent to Bratislava and 20 per cent to Vienna, after the transaction had been completed. The rest of the interests was retained by the I.G. Dynamit NOBEL Bratislava.
- 4.) The administration of the I.G. Dynamit NOBEL Bratislava was de facto transferred to Bratislava.

(page 5 of original)

Generaldirektor PHILIPP himself considered the sale of the Austrian companies as being in the interest of Bratislava, and at the meeting of the council of directors of the A.G. Dynamit NOBEL Bratislava on 7 July 1938 he asked the council of directors for permission that the Austrian companies owned by Bratislava be disposed of; his argument was that he considered it absolutely necessary to effect this sale, as there was a danger that in all probability the transfer of dividends from Germany to Czechoslovakia would hardly be feasible and that very extensive investments - in part of a sterile nature - would be necessary in regard to the Austrian plants and, since any transfer of Czech crowns to Germany was out of the question, debts would have to be contracted in such a case. For all these reasons he considered the sale of the plants advisable. The council of directors, as a matter of fact, unanimously accepted his proposition and authorized him to conduct the negotiations and bring them to the best possible end.

6.) "What was the agreement made by Dr. Paul MUELLER with Herr PHILIPP and when was it made?"

At the meeting of the council of directors of 7 July 1938, Dr. Paul MUELLER and His Excellency WEISS had been authorized to conclude, in behalf of the A.G. Dynamit NOBEL Bratislava, a pension agreement with Generaldirektor PHILIPP. On the basis of this authorization

page 5

Dr. Paul MUELLER and His Excellency WEISS signed a pension agreement with Herr PHILIPP, according to which the A.G. Dynamit NOBEL granted Herr PHILIPP from the day of his retirement from the service of the company a yearly pension in Czech crowns of an amount which, after deduction of the taxes to be paid on this pension in Czechoslovakia, would secure him a net-pension of Czech crowns 335,000.

(page 6 of original)

This amount corresponded to about one third of Herr
PHILIPP's tax-free total income at that time of approx-
imately one million Czech crowns.

Troisdorf, 29 January 1943.

signed: Dr. jur. Rudolf SCHMIDT

Document Roll No. 134/43 H.

I certify that the above signature is that of Herr
Dr. jur. Rudolf SCHMIDT, resident of Koeln-Marionburg,
von Grootestr. 36, signed before me.

Siegburg, 30 January 1943. The Notary: signed HARTMANN

Seal: Dr. Max HARTMANN
Notary in Siegburg.

Cross-Examination of Heinz Mayer-Negelin

by Attorney-at-Law Dr. ASCHENAUER, on 30 October 47, forenoon.

Page: 3078, 3082 and 3083, English Transcript:

A.: I would like to insert the following sentence: "I myself did not conduct any negotiations concerning technicalities of the payment of the purchase price, but talked to Mr. Freund about his suggestion, in order to examine the legal consequences and the consequences as far as taxation was concerned."

Page 3082:-

Q.: Do you recall that there was an agreement on the purchase of Deutsch-Matrei and Dynamit-Nobel between Troisdorf and the Hungarian minority stockholders?

A.: I heard that mentioned.

Q.: Since the majority stockholders and minority stockholders had reached an agreement on the transaction, was there also an agreement on motives?

A.: I do not understand your question.

Q.: Witness, between the majority stockholders and minority stockholders, there was an agreement on the transaction. I am asking you was there agreement on the motives?

A.: I assume so.

.....

Q.: After the duties were paid and the price was adapted, a sharp decline in the price had to be expected?

A.: That was often mentioned.

Q.: The suggestion for the establishment of the price came from PHILLIP and FREUND, at that time at the administration of DAG, Pressburg?

A.: Mr. FREUND told me that the suggestion came from him.

Q.: Witness, you write in your affidavit that participation of the two firms amounted to 1,2 million marks. I ask you, what would a purchase price, considerably above the nominal value - what would that have meant from the point of view of taxation?

Page 3083:

A.: It would have been listed as profit and if the company had no losses otherwise, it would have led to taxation.

Q.: Did anyone concerned want that to happen?

A.: No one likes to pay taxes.

Q.: Didn't the Pressburg administration for this reason propose to divide the purchase price of 3,6 million marks into 25 payments, just a payment of 25 installments, to save taxes?

A.: The motive was certainly to save taxes.

I, Rudolf ASCHENAUER, Defense Counsel for Dr. GATTINEAU, herewith certify that the foregoing is a literal copy of the record of the session in the forenoon of 30 October 47, Court No. VI.
Nurnberg, 18 March 1948.

(signed): Rudolf ASCHENAUER

Defense Counsel for Dr. GATTINEAU.

AFFIDAVIT.

I, Dr. Ernst HACKHOFER, residing in Wolfsberg, Carinthia, have been duly warned that I make myself liable to punishment if I make a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal in the Palace of Justice, Murnberg, Germany.

In order to make my statement clear, I must explain as follows:

When in March of 1938 the Federal state of Austria was incorporated into the German Reich, only the beginning of a large-scale chemical industry in the manner of the type of large industrial states to be found in the west, were present. One of the best managed austrian enterprises was the Carbid-Werke Deutsch-Watroi A.G. with the Continental Company for Applied Electricity which it controlled, and which belonged to the Konzern of the I.G. Farben via the Dynamit-Nobel A.G. Pressburg. It is understandable considering the extraordinary business proscience of the I.G. Farben Vorstand, that the attempt was made to secure still other enterprises suitable for the manufacturing program of I.G. Farben, such as the powder factory Skoda-Werke Wetzlar A.G. After laborious negotiations and by paying a very high price under those conditions for the economically poorly endowed munitions factory Skodawerke-Wetzlar A.G., I.G. Farben succeeded

in acquiring the shares of this enterprise from the Creditanstalt-Wiener Bankverein A.G. and these negotiations were carried out on a purely private economic basis in a friendly manner, without the application of any sort of pressure. With the Carbidwerke Deutsch-Metrol A.G. and the powder factory, which were about equal in their importance, I.G. Farben thus controlled approximately 20-25 % of the chemical industry of Austria.

.....

In this connection, the plans for development were drawn up completely independently of the Four Year Plan, the carrying out of which was not taken into consideration either in the founding or in planning the expansion of Donmchemie. I likewise state that Dr. ILGNER, as well as his colleagues in I.G. Farben, who devoted themselves especially to the Austrian and Southeast problems of the I.G. Farben business, let themselves be guided solely and exclusively by fair economic and business considerations in all their actions in Austria as well as in the Southeast countries, and in these considerations the interests of Austria and the Southeast countries received the same regard as the Reich German interests of I.G. Farben.

Wolfsberg, 27 January 1948.

(signed) Dr. Ernst HACKHOFER

Doc. Reg. 21.25/1948.

I hereby certify that the signature of Herr Doctor Ernst HACKHOFER, estate owner in Wolfsberg, Carinthia to be found on the above statement, is genuine.

Wolfsberg, on the twenty-seventh of January, Onethousand nine hundred and forty.

Fee and Turnover Tax 7.60 S Stamp 2 S

(signed) Dr. Gerhard NOVAK

Notary public

CERTIFICATE OF TRANSLATION

We hereby certify that we are duly appointed translators
for the German and English languages and that the above
is a true and correct translation of Document Book IV
GATTINEAU

Hanna Marie BIEDER, Civ. No. 397 989,
Cover, pages I - XIV, 54 - 56

.....

Hans NICHTENHAUSER, Civ. No. 20 113,
pages IX - XIV, 54 - 56

.....

Hildegard L. FIRTEL, Civ. No. 17 415,
pages 1 - 7, 26 - 27, 40 - 41, 52 - 53, 57 - 62

.....

Frederic L. PERA, Civ. No. D-397 943,
pages 8 - 12, 44 - 46, 49 - 51

.....

Alfred OBERLAENDER, Civ. No. 20 192
pages 13 - 17, 47 - 48

.....

Paul E. GROPP, Civ. No. 397 975,
pages 34 - 37

.....

Case 6
Defense

TRIBUNAL VI
CASE VI

Document Book V
for

Dr. Heinrich GATTINEAU

presented by
Rudolf Aschenauer
Defense Counsel



Seal

Index of Document Book V
for Dr. H. GATTINEAU

Doc. No.	Exh. No.	Description of Document	page
79		Excerpt from "Neue Zeitung" dated 4 March 1946: "Close-up view of the Slovak Paradise".	1
80		Excerpt from "Rheinische Zeitung" dated 31 May 1947.	2
		Both newspaper excerpts describe the true situation in Slovakia shortly before the collapse and refer to Slovakia as a country which - though in Germany's power - did not know the choking grip of Hitler's myrmidons. They also deal with the national and material uplift of the Slovaks in the 6 years of Slovakia's independence.	
82		Affidavit by Dr. Heinrich GATTINEAU together with scheme of AG Dynamit Nobel Pressburg business policy.	3
		In the appended scheme Dr. GATTINEAU confirms the correct quotation of figures taken from GATTINEAU document No. 81 regarding AG Dynamit Nobel Pressburg business policy during 1934 to 1943.	
81		Affidavit Dr. Carl MEYER.	5
		The witness, from 1 January 1939 until the capitulation in 1945 managing director of AG Dynamit Nobel Pressburg, tells the history of AG Dynamit Nobel Pressburg,	

which emerged from A.G. Dynamit Nobel, founded 1886 in Vienna, by capital transfer. In 1923 the firm's headquarters were moved to Pressburg, as strongly Communist tendencies in Austria gave rise to fears of nationalization; only administration and direction remained in Vienna. Having quoted figures of the Pressburg factory's business policy during 1924 to 1942, the witness gives details of the factory's technical situation. He closes by saying: "In technical and social respects the firm did not present a good picture in 1939. Roughly a third of the buildings were in use for manufacture or other purposes. Two thirds lay idle and were more or less in a state of deterioration. Social institutions were below South-East European standards; there were not enough homes and they were damp. There was no sewage or water laid on".

In a chapter entitled "Reorganization and Extension of the Pressburg Factory" the witness deals with the energetic planning activity after 1939 and brings a table of the various investments. Other chapters deal with wage policy, factory committee, social institutions, and in connection with the latter, the home question, messing facilities, sickness welfare and recreation are treated in detail, showing the high social standard of this factory in 1945. The number of employees increased

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from roughly 300 (1939) to roughly
2 000 (1944).

~~82~~ 100

Affidavit Dr. Rudolf SCHMIDT.

23

The witness, member of the DAG Vorstand from April 1915 to the middle of 1946, without interruption, describes the type of business management adopted in Pressburg, and then comments on the question of AG Dynamit Nobel Pressburg participations in South-East Europe prior to 1939. The witness confirms that Slovaks and Hungarians were on the Dynamit Nobel Pressburg Verwaltungsrat even after 1938. He declares that the Pressburg factory did not employ prisoners-of-war or labor conscripts, nor did they participate in the procurement of foreign workers for German enterprises.

83

Affidavit Maria Josefa von WIPPERN.

26

The witness, Dr. GATTINEAU's secretary in Pressburg from 1940 to 1945, describes Dr. GATTINEAU's political and social outlook. The witness confirms that Dr. GATTINEAU did not take part in the NSDAP-AO's activities, and that he was not a member of the AO. Regarding his personnel policy the witness says: "I think Dr. GATTINEAU's personnel policy was invariably based on a person's ability. The fact that he retained or appointed a considerable number of Czechs and Slovaks in leading

positions - though these people made no attempt to hide their nationalistic views - testifies to the truth of this".

The witness goes on to give detailed descriptions of the social institutions which Dr. GATTINEAU initiated during his work in Pressburg. In conclusion, the witness comments on the production of the Pressburg factory: "Production was primarily designated to meet peace-time demands. If a new product was introduced, it would always be one that sold even in normal peace-times, when demand was smaller, for instance explosives for mining purposes, highgrade cellulose, insecticides etc."

84

Affidavit Dr. Eugen FISCHER.

33

The witness, from 1940 to 1943 factory chief of Chemische Industrie A.G. Pressburg and technical director of the same firm from 1942 to 1945, testifies that the managing directorate had to comply with the instructions of the Verwaltungsrat, composed of Germans and Czechs. He then gives a short account of the proportion of participations and of production, and says in connection with the labor question: "All my collaborators, chemists, technicians and foremen, who came to Pressburg as

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specialists under the IG technical aid scheme, concluded their contracts with Chemische Industrie AG voluntarily. We mainly employed indigenous personnel of German, Slovak and Hungarian nationality, in widely divergent positions. The factory workers were exclusively indigenous labor. We never employed foreign workers or prisoners of war."

In conclusion, the witness comments upon the factory's social program and wage policy.

85 Affidavit Dipl. Ing. Heinrich KNESCH. 36

The witness, formerly inspector of "Georgshof" belonging to AG Dynamit Nobel Pressburg, explains the purposes of this farm:
1. Food supplies; 2. model farm and show-piece.

86 Affidavit Guenther KOEPKE. 39

The witness, from 1941 to 1945, chief of the buying and sales department of AG Dynamit Nobel Pressburg, describes Dr. GATTINEAU's political and social attitude, and confirms that Dr. GATTINEAU made no public speech apart from a short address at the inauguration of the explosive and Vistra factory. Regarding Dr. GATTINEAU's personnel policy the witness testifies that the former did not judge employees by their nationality but solely by their character and efficiency. He points out that the social institutions of the Pressburg factory -

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mainly Dr. GATTINEAU's work - were unique and exemplary. The witness goes on to talk of production, and of DEHAG, whose purpose it was to advise agriculture on fertilizer questions, procurement of raw materials for manufacture of super-phosphates, and sale and distribution of fertilizers according to the requests of the OVA - Slovak Oberstes Versorgungsamt (Chief Supplies Office). In conclusion the witness confirms that in September 1945, American agencies appointed Dr. GATTINEAU after thorough investigation, as custodian of the Aschau factory, which had been an emergency factory in 1945.

87

Affidavit Gottfried PEITZEL.

45

The witness, in charge of the Pressburg casino and messhall of AG Dynamit Nobel, confirms the exemplary social institutions, especially

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the messing facilities of the Pressburg factory, and gives a typical weekly menu.

88

Affidavit Dr. Albrecht REISS.

The witness, having repeatedly visited the Pressburg factory during 1940 to 1944, confirms that Dr. GATTINEAU showed a keen interest in social improvements for the plant's workers and employees, for whom he envisaged the same standards as found in the German IG works; he points out that the factory's social institutions at the conclusion of Dr. GATTINEAU's work there were far above the level at which he found them when he joined the management of this factory.

48

89

Affidavit O.K. KAYN.

50

The witness, formerly employed by AG Dynamit Pressburg, confirms Dr. GATTINEAU's exemplary outlook on all work questions, and points out how Dr. GATTINEAU helped the company's Jewish employees; he closes with the following character description: "I came to know GATTINEAU in his private capacity as a ^{good} Catholic, always a champion of justice and charity, inspired by Christian tolerance, and as a true humanitarian; I respected Dr. GATTINEAU

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		as an exemplary person of firm character and as being humane, just and honorable in his deeds."	
90		Affidavit Robert SEYDL.	52
		The witness, pensioned as former chief of personnel of the Pressburg factory individually describes the large-scale social improvements which were due to Dr. GATTINEAU as managing director in Pressburg. He cites examples of Dr. GATTINEAU's personnel policy, to prove how loyally he worked for those under him, regardless of nationality and race, and he confirms in conclusion GATTINEAU Document No. 91, a collective affidavit of former employees on behalf of their chief.	
91		Affidavit of former employees of the Pressburg factory on behalf of their chief, Dr. GATTINEAU.	57
92		Affidavit of further former employees of the Pressburg factory on behalf of Dr. GATTINEAU.	58
93		Affidavit Engineer Johann SPRINZEL	59
94		Affidavit Franz STEPHAN.	61
		All 4 affidavits show Dr. GATTINEAU's exemplary political and social outlook.	

Doc. No. Exh. No.	Description of Document	Page
95	Cross examination of prosecution witness Paul SCHMIDT by Dr. Helmut DIX on 2 October 1948; page 1374 to 1375, German transcript. The witness states that in his opinion none of these defendants knew more about aggressive war plans than SCHACHT or DOENITZ who were both acquitted on that count by the IMT.	63
SCHMITZ 35	Excerpt from the IMT records of 2 May 1946, page 8748 to 8750: Examination of Dr. Hjalmar SCHACHT by Dr. Rudolf DIX.	66
96	Affidavit Liselotte von ZUKO'SKI. The witness, First Secretary in the Wipo, from 1935 to 1945, confirms that a telegram had to call Dr. GATTINEAU back from a holiday resort in the first days of the war, as there was a Wehrmacht draft order for him.	68
97	Excerpt from "The Verdict from Nuernberg", Muenchen, 1946. This excerpt contains the sections "Crimes against Peace" from the Nuernberg verdict, referring to the defendants SCHACHT, DOENITZ and FRITZSCHE.	70
98	Affidavit Dr. Carl MEYER. The witness, managing director of AG. Dynamit Nobel from 1939 to 1945, confirms that neither Pressberg nor the combine companies submitted	72

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any requests of suggestions that were part of the draft "New Order". "In Dr. GATTINEAU's and my own opinion, neither Pressburg nor the combine companies had suffered such damage through the Treaty of Versailles or other peace treaties, as to justify the pronouncement of special reparation demands."

99

Affidavit Dr. Eugen FISCHER.

74

The witness confirms that on 12 September 1945, American Military Government officers introduced Dr. GATTINEAU officially to the assembled department chiefs of the Aschau factory, as custodian of the factory. He furthermore confirms that before being appointed, Dr. GATTINEAU was interrogated by American officers for several days.

Order for making corrections filed in 84-1
after the Index.

C e r t i f i c a t e .

. I hereby certify that all documents contained in this document
book are true copies of the documents submitted to the Tribunal.

Nuernberg, 31 March 1948

Signed: Rudolf ASCHENAUER

Counsel for the Defendant GATTINEAU

Excerpt from:

"Neue Zeitung", No. 18, 4 March 1946.

Close up of the Slovak "Paradise"

- by our J.M. correspondent

Bratislava, March.

Once there was a country in Europe which did not feel the
clutches of Hitler's henchmen, although it was within Germany's
sphere of power. Once there was a country in Europe where, for many
years, not a shot was to be heard, no bombs fell and no shortages
existed, although the country was not neutral. There is a country in
Europe through which one can travel in a comfortable train, where
a waiter comes around from time to time to offer sandwiches and
refreshments without asking indiscretely for ration tickets, where
one can buy everything without being hindered by rationing. This
country is called Slovakia.....
.....

In fact Slovakia has not known hunger, shortages and air raids
for years, but, in the end, the country which was spared the direct
effects of war for so long came to feel the consequences of the conflict
in an intensified form.....

I herewith certify that the above is a faithfully copied extract
from the "Neue Zeitung", dated 4 March 1946.

Munich, 1 April 1946

signed: Rudolf ASCHENAUER
Counsel for the Defense

Excerpt from:

"Rheinische Zeitung", dated 31 May 1947

In the Slovakian perspective.

Psychological repercussions of the execution of Tiso .

Bratislava, May.

..... All the more clearly did the minor events registered by the papers, such as the pro-Tiso demonstrations in Central-Slovakia or the statements by highly respected, non-incriminated Slovaks that the six-year era of independence had given rise to a national and material uplift of the Slovak people, traces of which could never be obliterated, give interpretations of the Slovak attitude which could not be overlooked

I herewith certify that the above is a faithfully copied extract from the "Rheinische Zeitung", dated 31 May 1947.

Munich 1 April 1948.

signed: Rudolf ASCHENAUER

Counsel for the Defense

AFFIDAVIT

I, Dr. Heinrich GATTINEAU, born on 6 January 1905, in Bucharest, at present in the Court House Prison, Nuernberg, have been cautioned that I render myself liable to punishment if I depose a false affidavit. I declare in lieu of oath that my statements contain nothing but the truth and were made to be submitted as evidence to the Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

I herewith confirm that the attached graph entitled "The Business Policy of the A.G. - ~~Dynamit-Nobel-Pressburg~~" is an accurate statement of the data which were given in the affidavit of Dr. Carl MEYER, GATTINEAU document book no. V, GATTINEAU document no. 81.

The graph in the upper left-hand corner represents the dividends (in divisions of 5 %) for the period from 1934 to 1942, while the large graph contains the curves for assets and in cassa, for investments, for share capital, for reserves, amortizations and netto profits, expressed in units of 10,000,000 Cks, also for the period from 1934 to 1942.

I herewith declare on oath that the facts given by me in this affidavit conform to the truth to the best of my knowledge and belief.

Nuernberg, 30 March 1948

signed: Dr. GATTINEAU

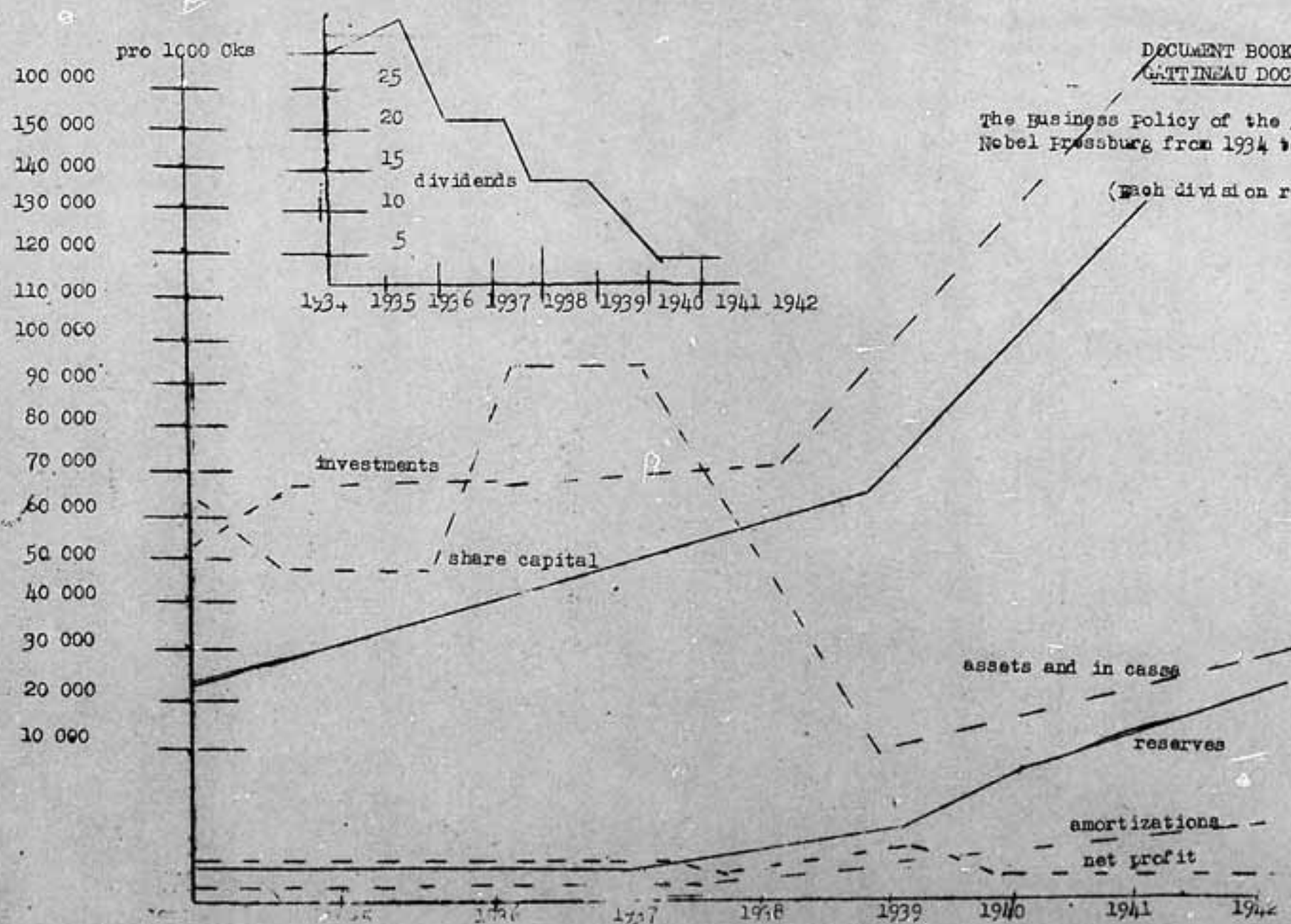
Above signature of Herr Dr. GATTINEAU is hereby certified by me, Dr. Helmut DUERR, the Assistant Defence Counsel for the defendant GATTINEAU.

Nuernberg, 30 March 1948

signed: Dr. Helmut DUERR

The Business Policy of the A.G. Dynamit
Nobel Pressburg from 1934 to 1942

(Each division represents 10 000 000 sks)



AFFIDAVIT

I, Dr. Karl MEYER, born on 14 January 1898, at Guestrow/Hecklenburg, residing at Troisdorf, Kaiserstrasse, have been cautioned that I render myself liable to punishment if I depose a false affidavit. I declare in lieu of oath that my statements contain the truth and were made to be submitted as evidence to the Military Tribunal no. VI in the Palace of Justice, Nuernberg, Germany.

From 1 January 1939 up to the capitulation in 1945 I was managing director of the AG Dynamit Nobel Pressburg and can say the following about the AG Dynamit Nobel Pressburg.

The AG Dynamit Nobel Pressburg was founded on 29 December 1923. It was formed from the A.G. Dynamit Nobel, founded in Vienna in 1886, by converting the capital of 13 200 000 Austrian Crowns to 13 200 000 Crowns. At the conversion no new shares were issued, but the shares made out for the Dynamit Nobel Vienna in Austrian Shillings were stamped Bratislava and in Czech Crown. In 1926, Viennese shares not yet stamped were available at the stock-exchange as Bratislava shares.

Hence, the A.G. Dynamit Nobel Pressburg is nothing else but the AG. Dynamit Nobel Wien founded in 1886. This company emerged from the Deutsche Dynamit Nobel. On 25 July 1976, the Deutsch-Oesterreichische ^{Dynamit} AG. formerly Alfred NOBEL & Co., Hamburg, was founded. This company,

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and its predecessor the firm of Alfred NOBEL & Co., Hamburg, built the factory at Bratislava, the construction of which was begun in 1875. For economic and political reasons a separate company was founded in Austria in 1886, with plants at Zampky near Prague, Bratislava, Seubersdorf and, later, St. Lambrecht. Since its foundation this company has belonged to the Dynamit-Aktien-Gesellschaft, formerly Alfred NOBEL & Co., Hamburg, later Troisdorf, by virtue of majority share holdings.

Since 1927, the Hungarian Commercialbank at Budapest owned a fairly large block of shares (approx. 20 %) of the Dynamit Nobel Pressburg. After the conversion of the old A.G. Dynamit Nobel Wien to A.G. Dynamit Nobel Pressburg, an Austrian Dynamit Nobel A.G. Vienna was founded in 1924 with a share capital of 1 200 000.- Shillings, into which the plants situated in Austria were incorporated. The first business year of this company was the year 1925. Since its foundation this Austrian Dynamit Nobel AG. in Vienna was 100 % the property of the newly-founded company at Bratislava.

The reasons for the transaction of 29 December 1923, were mainly the Czechoslovakian demands for nationalization of the Bratislava plant. Of course, it would also have been possible to let the old company in Vienna remain in existence and to detach the Bratislava plant as an independent company connected with Vienna. The fact that this was not done, but that the company was moved to Bratislava, was due to there having been strong Communist tendencies in Austria around 1923, according to a conversation the writer had with Generaldirektor Erwin PHILIPP.

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Erwin PHILIPP feared that the old Viennese NOBEL company would be nationalized in the course of events, therefore he moved the main office of the company to Bratislava to avoid its being nationalized. According to his opinion, there were no tendencies towards nationalization of private property in Czechoslovakia at that time. The management and the administration of the AG. Dynamit Nobel Pressburg did not move its main office to Bratislava after the transfer of the company, but remained in Vienna, where the actual administrative seat of the NOBEL companies in Austria and the Balkans remained until 1939. Only after 1 January 1939, was the administrative main office of the Bratislava company actually transferred to Bratislava.

On 1 January 1939, Generaldirektor Erwin PHILIPP, President of the Verwaltungsrat and Generaldirektor of the AG. Dynamit Nobel Pressburg went into retirement. His retirement was voluntary and based on a retirement agreement which Herr Dr. Paul MUELLER and His Excellency Herr Philipp WEISZ drew up with him after they were empowered to do so by the Verwaltungsrat, during the meeting on 7 July 1938. The agreement provided for a yearly pension for Herr PHILIPP amounting to Cks. 335 000.-, free of taxes and other deductions. The taxes and other deductions to be paid on this amount were borne by the AG. Dynamit Nobel. Herr PHILIPP retained his position as president, or rather vice-president in the subsidiary companies. He died from heart failure in Summer 1939 while on a vacation in Zuerich.

Before he went into retirement, Herr PHILIPP had already retired some gentlemen, like, for instance, Director FREUND (deputy chairman of the Verwaltungsrat),

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whom he could no longer retain in view of the developments of the situation. In the case of other gentlemen, like, for instance, the commercial director of the plant, SCHWARZWALD, he made retirement agreements. The AG. Dynamit Nobel respected every detail of all those agreements and arrangements, up to the capitulation.

Verwaltungsrat of the Company

The Verwaltungsrat 1938 consisted of the following gentlemen:

Erwin PHILIPP	(chairman)
Emil FREUND	(Deputy chairman)
Dr. Vaclav DOUCEK	
Karl HESS	
Dr. Paul MUELLER	
Josef ORSZAGH	
Exc. Philipp WEISZ.	

Verwaltungsrat 1939.

After the resignation of Generaldirektor Erwin PHILIPP, Dr. Paul MUELLER, the Generaldirektor of the Dynamit-Aktion-Gesellschaft formerly Alfred NOBEL & Co. Troisdorf, as representative of the shareholding majority, became chairman of the Verwaltungsrat in agreement with the Hungarian minority partner. For the formation of the 1939 Verwaltungsrat it was considered of vital importance that, apart from an adequate representation of the big share-holders, a considerable number of persons from the Slovak industry as well as specialists of the I.G. Farben be brought into the council. The company

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expected active support for the envisaged building-up program from these latter two groups, and it was not disappointed in these expectations.

Dr. Paul Mueller (chairman)

Dr. Hans Kuehne (deputy chairman)

Dr. Ernst Fischer

Dr. Samuel Fruchwirth

Dr. Fritz Gajowski

Dr. Karl Gruenoberg

Julius Horarik

Dr. Max Ilgner

Dr. Rudolf Schmidt

Dr. Julius Virsik

Hco. Philipp Weiss

Dr. Duotefisch

Verwaltungsrat 1941

Dr. Paul Mueller (chairman)

Dr. Hans Kuehne (deputy chairman)

Dr. Max Ilgner (" ")

Dr. Heinrich Duotefisch

General Alexander Gunderlik

Dr. Ernst Rudolf Fischer

Dr. Samuel Fruchwirth

Dr. Fritz Gajowski

Dr. Karl Gruenoberg

Julius Horarik

Dr. Rudolf Schmidt

Dr. Elemer von Simontsits

Dr. Julius Virsik

Eduard Weber-Andreas

Verwaltungsrat 1943

Dr. Paul Mueller (chairman)

Dr. Hans Kuehne (deputy chairman)

Dr. Max Ilgner (" ")

Dr. Heinrich Duotefisch

General Alexander Gunderlik

Dr. Ernst Rudolf Fischer

Dr. Samuel Fruchwirth

Dr. Fritz Gajowski

Dr. Karl Gruenoberg

Dr. Rudolf Schmidt

Elemer von Simontsits

Dr. Julius Virsik

Eduard Weber-Andreas

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Verwaltungsrat 1944

Dr. Paul MUELLER	(Chairman)
Dr. Hans HUEHNE	(Deputy Chairman)
Dr. (illegible) ILGNER	(" ")
Dr. Heinrich BUETEFISCH	
General Alexander GUNLERLIK	
Dr. Ernst Rudolf FISCHER	
Dr. Samuel FRUEH IRTH	
Dr. Fritz GAJEWSKI	
Dr. Karl GRUENEBERG	
Dr. Rudolf SCHMILT	
Elemer von SIMONTSITS	
Dr. Julius VIRSIK	
Eduard AEBER-ANDREAS	
Josef BISOUF	
Lr. Heinrich GATTINEAU	
Dr. Karl MEYER	

were managing directors from 1 January 1939 until the capitulation 1945.

Development of the capital stock

Stock at the time of foundation 1923	Kc 13 200 000.--
Increase of the capital stock after the annual meeting of stockholders on 28 December 1934	Kc 26 400 000.--
Increase after annual meeting of 5 July 1940 to	Kc 80 000 000.--
Increase after annual meeting of 18 Dec. 1941 to	Kc 150 000 000.--

DIVIDENDS

Dividend 1923	15 %	Dividend 1934	30 %
" 1924	15 %	" 1935	33 %
" 1925	15 %	" 1936	19 %
" 1926	15 %	" 1937	19 %
" 1927	15 %	" 1938	14 %
" 1928	25 %	" 1939	14 %
" 1929	30 %	" 1940	9 %
" 1930	30 %	" 1941	6 %
" 1931	30 %	" 1942	6 %
" 1932	30 %	" 1943	6 %
" 1933	30 %		

The means made available to the company by the increase of the stock of 5 July 1940 and 18 December 1941 served to finance the Pressburg plant development program which will be discussed later. The shares were issued with a 20 % premium. In this way the company received a total of about Kc 150 000 000.-- = RM 15 000 000.--.

The increase of the stock were decided upon unanimously in the annual meetings after previous agreement with the minority partner. Since the partners of the company made full use of their subscription privileges in each case, IG Farben could acquire its final participation of 13 % in AG Dynamit Nobel Pressburg only gradually and through purchase of shares or subscription privileges in the open market.

In addition, a credit agreement was concluded with the four largest Pressburg banks (Unionbank, Handels- und Creditbank, Slowakische Bank and Tetrabank) to finance the enlargements Ks 20 000 000.-- medium term credits and a short term revolving credit were made available to the company in this way. Covering bills of exchange were given to the banks for these credits.

The necessary enlargement of the subsidiary companies, such as the Chemische Industrie AG, the Apollo Raffinerie, the Mostor Lackfabrik, the firm Societate Romana de Explosivi Bucharest, the Nitramonia Bucharest etc. - to be discussed later - was also effected by means of increases of capital stock. These companies also took up loans with the local banks which were facilitated by the guaranty of the Dynamit Nobel Pressburg or the Deutsche Laenderbank Berlin.

DOCUMENT BOOK V GATTINEAU
GATTINEAU DOCUMENT No. 81

BALANCE SHEET FIGURES

Year:	Investments:	Reserves:	Credits and Net cash:	Depreciations: profits:
<u>In 1000 kroner</u>				
1924	Ko, 44 333	37 792	5 010	2 087 2 780
1926	" 71 798	43 522	34 100	2 245 2 958
1928	" 45 352	5 966	56 746	3 591 285
1929	" 41 730	4 894	65 879	4 775 1 505
1930	" 43 204	4 113	67 224	4 739 1 552
1931	" 63 625	3 396	69 979	4 353 1 500
1932	" 64 843	3 972	72 252	4 287 1 501
1933	" 65 569	4 046	71 142	4 467 1 500
1934	" 66 855	4 221	70 390	4 237 1 500
1935	" 74 267	4 261	64 209	4 920 1 500
1936	" 76 818	4 732	62 601	5 428 1 500
1937	" 76 937	4 527	92 845	5 984 2 139
1938	Ks. 78 444	5 629	91 993	3 945 2 500
1939	" 81 045	11 132	27 338	5 451 4 000
1940	" 113 440	25 948	31 370	5 826 8 000
1942	" 169 825	41 784	46 911	5 758 17 200

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Technical condition of the Pressburg plant.

The construction of the Pressburg plant was started by the firm Alfred Nobel & Co., Hamburg in 1875. At that time Pressburg produced only mining explosives with a few primary products and black-powder to a modest extent. With the growth of industry in the years around the turn of the century, Pressburg was currently enlarged. The plant was considerably enlarged during the war 1914/18 when Pressburg also produced military explosives and smokeless powder. After the war considerable sections of the plant were shut down and dismantled. Owing to the political changes after the first world war, Pressburg also lost its main peace product, i.e. mining explosives. Under pressure on the part of the Czech government, the Akt. Ges. Explosia at Semtin near Pardubitz was founded about 1920 and granted the monopoly on the production of mining explosives. In addition the Explosia was enlarged as a factory for military explosives and powder for the needs of the Czechoslovakian army. Pressburg was compelled to surrender all machinery for the production of mining explosives to Semtin and was no longer allowed to produce explosives. An attempt was therefore made to save the factory by transforming it into a chemical plant. At first only a sulphuric acid contact system for production of oleum, a carbon disulphide installation and a small installation for production of hydrochloric acid were available.

In 1924 the company took up the production of chrom alum, barium chloride and sulphuric acid.

In 1925 the potentiality was further enlarged by the construction of a factory for superphosphate production and with the nationalization

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of the Nobel Bickford A.G., an installation for production of electrical mining fuses of various types was established on the factory premises under the management of the Nobel Bickford AG. In 1936 an installation for production of bleaching clay was set up. Eventually, in 1939 the following production branches and capacities existed in the plant:

sulphuric acid	15 000 Jato
superphosphate	40 000 "
carbon disulphide	6 000 "
bleaching clay	3 600 "
chlorine sulphonic acid	1 800 "
bisulphate	1 320 "
hydrochloric acid	1 840 "
sulphate	720 "
chrom alum	960 "
fluosilicate of soda	250 "
oxygen m ³	156 000 cbm
dissoous gas	96 000 "
sulphuric acid	432 to
electrical fuses	5 000 000 pieces
fuses	1 000 000 Rg.

Meanwhile Pressburg had also temporarily established a sugar factory which, however, was shut down and divided up long before 1939, when Pressburg's sugar quota could be sold favorably within the trust.

Technically and socially, the factory did not make a good impression in 1939. About a third of the buildings was used for manufacture or some other purpose. Two thirds of the factory were not in use and more or less in ruins. Social establishments were

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below the standard of South East Europe, dwellings were inadequate and damp. There were no water pipes or canalization,

Reorganization and enlargement of the Pressburg plant.

After the retirement of Generaldirektor Erwin PHILIPP, the directors Dr. MEYER and Dr. GATTINEAU - the former as a technician, the latter as a merchant - were instructed to reorganize Pressburg and affiliated companies and to create a sounder and larger basis for production even at the cost of considerable investments. As a result of a commercial and technical survey, the factory for mining explosives was reconstructed first of all and established with the most modern equipment on the site of the former explosive factory; some of the ramparts which still existed were made use of. Furthermore, in view of the raw material situation in Slovakia, the establishment of a spun rayon factory (Vistra factory) with a capacity of about 7000 tons of spun rayon per annum was planned. The construction of the spun rayon factory was started in the form of a special company with financial participation of the Association for chemical and metallurgical Production Prague in 1940; operations began in 1942. Particulars will be given under the heading "participations".

In connection with the construction of the spun rayon factory, it was also necessary to enlarge the carbon disulphide installation, namely the capacity was increased from 6000 to 18000 tons per annum in the course of the years 1940/42. Thus, Pressburg was able to meet Slovakia's demand for carbon disulphide and was furthermore in a position to export

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considerable quantities. Finally - utilizing an empty building - the sulphuric acid installation was also enlarged; this was all the more necessary since the existing installation for sulphuric acid production which no longer met technical requirements, had to be dismantled. The sulphuric acid capacity was increased from 15 000 to 42 000 tons per annum. Eventually the auxiliary and attached branches as well as the social establishments of the factory were reorganized and improved in a generous and exemplary manner. A net of macadamized roads was established and a considerable number of modern residential houses was built for employees and workmen. The total expenditure amounted to about 230 millions Ks or 26 millions Mark.

I N V E S T M E N T S

In 1000 Ks.

1) Newly constructed explosive factory including three new store-rooms approximately	30 000.--
2) Enlargement carbon disulphide including generators	8 000.--
3) Oleum II	25 000.--
4) Workshop, building machines for locksmith's, turner's workshop etc.	4 000.--
machines for autogenous process including tool manufacturing workshop (training workshop)	2 000.--
5) Newly constructed roads	1 500.--
6) New building for welfare installations in operation	4 500.--
7) Residential buildings:	3 500.--
a) in the Ratzerdorfer Strasse	8 000
b) Sportplatz	4 500
c) emergency settlement residential blocks 3 x 8	9 000
carried forward	21 500
	78 500.--

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		In 1000 Ks.
brought forward	21 500	78 500
d) Reconstruction employees' settlement in the plant Herdani to Lamos Pude to Kindergarten	4 000)	
e) Wooden houses and farmworkers' houses near the Weinernstr.	3 000)	
f) Residential buildings near the Georgshof	3 000)	
g) Sugar colony	8 000)	
h) Mess quarters near Turami	1 500)	41 000
8) New building T.B.	approx.	3 000
9) " " storehouse		2 000
10) " " garage		600
11) Enlargement water-supply works		1 200
12) Buildings near the Georgshof (cow-shed, pig-sty, silo installation etc.)		2 500
13) Newly constructed sewer		8 000
14) Newly established sports grounds		800
15) Reconstructions clubhouse		1 000
16) Newly constructed swimming pool		500
17) Newly established tennis courts, tennis house		400
18) Spun rayon factory	amounting to approx.	139 500 125 000
	Total:	Ks. 254 500

In 1943, after the plans had been carried out, the capacities were as follows:

	1943	as compared to 1939
Spun rayon	7 000 tons per annum	--
explosives	3 600 "	--
Sulphuric acid	42 000 "	15 000 tons
Superphosphate	40 000 "	40 000 per annum
Carbon disulphide	18 000 "	6 000 " "
Bleaching clay	3 600 "	3 600 " "
Chlorine sulphonie acid	1 800 "	1 800 " "
Bisulphate	1 320 "	1 320 " "
Hydrochloric acid	1 840 "	1 840 " "

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1943 as compared to 1939

Sulphate	720 tons per annum	720 to p.a.
Chrom alum	960 " " "	960 " " "
Fluosilicate of soda	250 " " "	250 " " "
Oxygen m ³	156000 cbm	156 000 cbm
Dissoous gas	96 000 "	96 000 "
Sulphuric acid	432 to	432 to
Fuses	2 500 000 Rg.	1 000 000 Rg.
Electrical fuses	--	5 000 000 pieces

Owing to the increase of production, the number of workers increased from

300 in 1939 to
2000 in 1944.

Only indigenous personnel was employed, never prisoners of war or forced labor.

Wages policy.

Many measures were taken from 1939 onwards to increase nominal and actual wages beyond the wage scale agreement.

- 1) Firstly new groups not-provided forⁱⁿ the wage scale agreement - were established to facilitate further promotion, e.g. :
Kolonnenfuehrer (sub group leaders), Hilfsmeister, Obermeister.
- 2) A combined loyalty and ability premium was introduced.

Currently, employees working for the enterprise for two years could be granted a premium amounting to 10 % of the wages, after four years a premium of 20 % of the wages.

The premiums were granted in practically all cases where the time limit had been reached.

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3.) The employees received voluntary bonuses from the firm in proportion to their services rendered and the profits made by the plant.

4.) The firm reduced the cost of food supply by buying wholesale and charging cost prices, and helped in procuring scarce food by supplying Georgshof-products.

5.) The workers, either individually or in groups, could have pigs fattened for them at the Georgshof. Losses were made good by the firm.

Plant Committee.

In meetings of the plant committee which took place at regular intervals and in which employees and workers of Slovak, Czechs, German and Hungarian Citizenship participated, all social problems were discussed and the wishes of the workers examined in regard to the possibilities of their being fulfilled. Within the framework of the administration, Dr. Gattineau had taken charge of the drawing-up and carrying-out of the social program; Dr. Schmid, as plant manager of the Pressburg plant, was the executive.

Social institutions.

The social institutions of the Pressburg plant at the end of 1936 were on an extremely low level. Therefore a basis had accordingly to be established first. With the increase of the employed workers from about 300 to 2 000, the corresponding plan for the required social institutions followed automatically. The following was carried out:

1.) Housing question.

The apartments available were renovated.

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The uncovered sewage was replaced by underground drains; the colony was provided with water mains. Settlements were built in four different places around the plant. In this way approximately 100 apartments in all were made available. There were two types in general: apartments consisting of two rooms and livingroom-kitchen and bathroom as well as a corresponding share of the kitchen garden. For these apartments, one-story houses were built with eight apartments each. The rent amounted to RM 10.- monthly. The second type consisted of double houses of 4 - 5 rooms each. In addition there were 5 wooden houses of 4 rooms each. According to an overall-settlement plan, the settlements were to be separated from the plant and further extended, as far as possible by utilizing existing buildings. In addition a freehold settlement was planned.

2.) Food.

A central kitchen was established which supplied lunch to all workers and employees. For the lunches, the worker of the plant paid RM 0.40.-, the firm's share was the same or more. Four times a week meat dishes with potatoes and cabbage were served and twice a week a pudding was served.

The renovated casino and seven separate, newly erected social buildings scattered over the 2 km large site of the plant, were available for the serving of lunches. These buildings had mess-rooms - large enough to serve food to all the workers at the same time-, dressing rooms, shower baths and WC's. In order to guarantee the supply of food, the farm "Georgshof" owned by the plant was improved to a great extent. Finally it possessed more than 100 cows, 300 pigs, 400 chickens, 12 teams of horses, oxen and sheep. In addition to this

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a second neighbouring farm was rented, so that, with the approval of the competent authorities, the food supply of the plant could be guaranteed from its own productions, and in addition to this even occasional food-parcels to the workers of the plant. This farm was used at the same time for agricultural experiments in the interests of the Dehay.

3.) The care of sick persons.

A plant's hospital with two doctors was available. Each newly employed worker was examined and received a health index-card. His state of health was under constant observation. In case of a rest being necessary, the doctors made appropriate proposals to the plant's management, which sent groups of those urgently in need of a rest, to the Tatra mountains at the expense of the plant. Two nurses assisted the doctors and took care of the family welfare.

4.) Recreations:

Extensive recreation centres were established. In the immediate neighbourhood of the plant a recreation park was laid out by utilizing the existing old trees. Following this, a large open air swimming pool was built, and modern sports grounds with cinder track were laid out. In connection with this tennis grounds with club house, four tennis courts and a bath were built. The building of a special recreation centre had been taken in hand in the Kleinen Karpathen. A large piece of ground covered with woods and situated on a mountain ridge was purchased. One family houses, together with a casino were to be built there. These log cabins were already partly under construction.

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The whole was to serve as a place of rest for workers' and employees' families, irrespective of racial descent.

5.) Air-raid-precautions.

When the aerial warfare in the region of South-East Europe became intensified, extensive protective measures were taken for all the workers of the plant Pressburg. 7 iron armored concrete bunkers were built with walls of 3 m thickness which could hold all the workers of the plant with their families. Total costs 10 million Czecho Kronen (approximately 1 Million Reichsmark). All the social institutions of the plant Pressburg were available to all the workers of the plant irrespective of nationality.

I have carefully read this affidavit - consisting of 18 pages in the German language - and affixed my signature to it. I have made corrections wherever necessary and initialled them. I hereby declare on oath that the statements I have made in this affidavit are true to the best of my knowledge and belief.

Troisdorf, 30 January 1948.

signed: Dr. Karl Meyer

Doc. Register No. 138 for 1948. E.

I hereby certify and attest the above signature, affixed before me, to be that of Dr. Karl Meyer, Chemist, residing in Troisdorf, Kaiserstrasse. Siegburg, 30 January 1948.

The Notary Public:

signed: Hartmann

stamp: Dr. Max Hartmann,
Notary Public of Siegburg.

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AFFIDAVIT

I, Dr.-jur. Rudolf Schmidt, residing at Kœln - Marienburg, von Grosse-
strasse 36, know that I render myself liable to punishment by making
a false statement. I declare on oath that my statement is true and
was made to be submitted as evidence to the Military Tribunal No. VI
(Case 6, IG Farbenindustrie) at the Palace of Justice, Nuernberg.

On 1 September 1912 I entered upon my services with the Dynamit-Aktion-
Gesellschaft, formerly Alfred Nobel & Co (DAG), became Prokurist
in fall 1913 and on 1 April 1915 was appointed regular member of the
Vorstand. From that time until the middle of 1916 I was, without
interruption, a member of the Vorstand of the DAG. On the strength
of my official position and activity I had full knowledge of the
business methods of the DAG, especially also in connection with A.G.
Dynamit Nobel Bratislava and AG Dynamit Nobel Vienna, particularly as
I was member of the Verwaltungsrat of the former cooperation and
chairman of the Aufsichtsrat of the latter.

To the questions submitted to me, I state the following:

- 1) "When did Dr. Karl Meyer and Dr. Gattineau become managing directors
of the AG. Dynamit Nobel, Pressburg?"

It was at the end of 1938, effective as at 1 January 1939, that
the ~~managing directors~~ Prokurists with the title of managing directors by
Dr. Karl Mueller in agreement with Generaldirektor Philling.

- 2) "When was the new Verwaltungsrat in Pressburg elected by the
meeting of the stockholders?"

In the general meeting of stockholders in Pressburg on 20 July 1939.

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3) "What was the compass of the management of the managing directors in the AG. Dynamit Nobel, Pressburg?"

Both the managing directors had to submit all important matters to the Verwaltungsrat which made decisions and issued directives.

4) "Did this actually happen?"

Yes. All new credits were submitted to each meeting of the Verwaltungsrat; projects of the plant were discussed and reports were made on all general affairs of the firm.

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5) "Is it correct that important measures taken at Pressburg were always discussed beforehand with the Hungarian minority group?"

Yes.

6) "What holdings did the AG. Dynamit Nobel Pressburg own in South-East Europe before 1939 and since when?"

Hungary:	32 % participation in the Igari Robbanc-Inyar Rt. Budapest. The Igari for its part had a 1/3 participation in the Terra Gumia and in the Hydrosulphite plant of Count Batthany.
Yugoslavia:	27,5 % participation in the Tominischen Elektrizitats AG., Jajce (Elektrohesna), which for its part was a shareholder of the Mostar Lack- und Carbonfabrik AG., Zavrub, of the Titanit and of the Stickstoffwerk (nitrogen plant) A.G., Ruse.
Roumania:	20 % share in the Prima Societate Romana de Explosivi, Bukarest which for its part was a shareholder of the "Nitronia".

I am unable to say when the AG. Dynamit Nobel, Pressburg, acquired these shares. I know that they were old holdings and presume that they were owned by the AG. Dynamit Nobel even before 1923.

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7) "Did a change take place in these participations in the Inari, Elektrobosna and Prima after 1938?"

No.

8) "Were there also Slovak and Hungarian members of the Verwaltungsrat of the Dynamit Nobel Pressburg after 1938?"

Yes.

Of Slovak nationality: General Gunderlik, Dr. Virsik, Dr. Fruchwirth, Dr. Grueneberg, Julius Horarik and Josef Biscup.

Of Hungarian nationality: Excellenz Philipp Weiss and after his retirement from his bank, his successor Dr. von Simontsits.

9) "Did the Dynamit Nobel Pressburg or the Chemische Industrie AG, (Wistrafabrik) employ prisoners of war?"

No.

10) "Did the Dynamit Nobel Pressburg or the Chemische Industrie AG, employ forced labor?"

No. All the employees consisted of voluntary indigenous personnel resident in Slovakia.

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11) "Did Dynamit Nobel Pressburg or the Chemische Industrie AG, participate in the procurement of foreign workers for German enterprises?"

No.

Troisdorf, 30 January 1940.

signed: Dr. jur. Rudolf SCHMIDT

Document Register No. 135/40 H.

I hereby certify and attest that the above signature, affixed before me, is that of Dr. jur. Rudolf Schmidt, resident of Koeln-Marienburg,, von Grootestrass 36.

Siegburg, 30 January 1940.

The Notary Public.

signed: Hartmann

viel: Dr. Max Hartmann
Notary Public of Siegburg

A f f i d a v i t .

I, Maria Josefa von WIPPERN, born on 6 February 1903 in Wormlage, Roman Catholic, secretary, residing in Trostberg, Fabrikstrasse, have been warned that I render myself liable to punishment by making a false affidavit. I declare on oath that my statement is true and was made to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuerenberg, Germany.

I was working as secretary to Dr. GATTINEAU during his activity in Pressburg from 15 August 1940 to 30 March 1945 and am able to state the following on the basis of my personal impressions during this period:

Dr. GATTINEAU, as commercial managing director of the A.G. Dynamit Nobel, devoted all his efforts to the enterprise and during the period in question took no active part whatever in Party politics, so far as I know. For instance, he repeatedly tried in the course of many years to obtain the release from his office of the head of the carbondisulphide factory - Herr Ing. SIEMENAEUGER - who held the office of a district leader in the German Party; for he considered that the smooth running of a factory was more important than a Party office. Unfortunately this attempt failed, due to the attitude taken by the Party.

Attempts of various officials, who professed to be National Socialists, to use the situation at that time to gain advantages over adherents of other national-political parties, failed due to the attitude taken by Dr. GATTINEAU, who did not tolerate any obstructive elements in this respect.

His behavior towards employees was correct in every respect; persons who failed to find understanding for their troubles and requests elsewhere came to Dr. GATTINEAU, who was always prepared to listen to them.

"When at the end of 1944, mass call-ups to the Wehrmacht and Heimatschutz started in Pressburg, it was due to the repeated intervention of Dr. GATTINEAU that these call-ups, in as far as the AG Dynamit Nobel was concerned, remained at the lowest level possible, just as he also saw to it that a considerable number of employees who were to remain in Pressburg to defend the fortress there, were allowed to leave Pressburg with the evacuation transport.

Dr. GATTINEAU very seldom attended Party meetings and mostly arranged to be away on those days, just as he frequently forgot his Party badge at home. He never had the German salute introduced in his office; I never greeted Dr. GATTINEAU in any other way than by "Gruess Gott", or "Guten Morgen", and he also answered me that way.

Finally it must be stated that Dr. GATTINEAU, being a devout Catholic, attended church regularly and also educated his children strictly in the Catholic faith, which of course called forth the criticism of so-called "good National-Socialists".

As far as I know, Dr. GATTINEAU did not take part in the activities of the AO (Auslandsorganisation). Moreover, he always stressed that he was not a member of the AO, but belonged to the district group of Berlin, as before.

I never heard of Dr. GATTINEAU having made any speeches in Pressburg outside the plant. I only remember short addresses, which Dr. GATTINEAU delivered on the occasion of the opening of the explosives factory and the Vistra - he may perhaps have made a brief speech at a Christmas celebration. I was not present at the Bohag (Deutsche Export Handels A.G.)-meeting.

Dipl. Ing. Viktor TOMSCHA was Counter-Intelligence Officer at the works in Pressburg. Dr. GATTINEAU's office did not deal with cases of sabotage, which is the reason why I do not know any details. I myself cannot remember any clear cases of sabotage, except for the explosion in the dynamit-factory, for which no explanation could be found and which occurred a few days before the evacuation of Pressburg; but I presume that this matter, in view of the general collapse, was not pursued any further.

I can only remember that some thefts occurred in the plant; These were presumably reported to the police. Dr. GATTINEAU did not make any such reports. The counter-intelligence officer was competent for such matters.

I am able to make the following statement on the policy followed by Dr. GATTINEAU with reference to personnel matters:

Nobody who is an unprejudiced judge of these matters can possibly assert that Dr. GATTINEAU, in his personnel policy, favored the Germans and neglected the Czechs and Slovaks. There were even some German officials who accused Dr. GATTINEAU of favoring the Czechs when, due to their lack of efficiency, they themselves failed to gain the promotions expected by them.

In reality, Dr. GATTINEAU no doubt always made efficiency the basis of his personnel-policy. The following serves to prove this: he kept or rather appointed a number of Czechs and Slovaks to leading positions, although they did not hide their nationalist views.

As far as I remember, the Slovaks CIGLAN and Dr. HOFFMANN, and another Slovak or Czech whose name I no longer remember, belonged to the Confidential Council; this council dealt with social affairs, wage-problems etc.

If people, who came over here from the Reich, were employed at a higher salary, then this was due to the fact that they made their salary claims on the basis of their RM-salaries, which were converted into Slovak crowns and amounted to a considerable sum; but Dr. GATTINEAU always tried to adjust the other salaries to this level as far as possible, and here efficiency was always the decisive factor.

The following key-positions were held by Czech or Slovak nationals:

Head of the Finance Department:	Karl LAMOS (Czech)
" " " Legal " :	Dr. Robert HOFFMANN (Slovak)
Head of the Technical Department: (together with Obering. HORNEY)	Obering. Eduard VESELY (Czech)
Furthermore the worksmanger of the fuse factory:	Ing. PTACOVSKY (Czech)
" " " " dynamit " :	Ing. RUSNYAK-PETTEN (Slovak)
The secretary of the commercial director was a Czech	Frau M. TYAS

Furthermore the following Slovak citizens were in leading positions as worksmen: Ing. SIELEMAEUGER (Carbon disulphide)
Dr. BUE (Fuller's earth)
Ing. Krieg (sulphuric acid - super phosphate)
Dr. DCHT (central laboratory)

In addition many clerical posts and positions of skilled labor were held by Czech and Slovak nationals.

I am able to make the following statement on the billeting problem:

The old works-settlement was inhabited by Germans, Czechs, Slovaks and Hungarians. Dr. GATTINEAU planned a large-scale building project and carried it out. 5 settlements were envisaged, amongst them a workers' housing-estate (Eigenheim-siedlung). 3 settlements were started immediately, in the case of the others the sites had still to be acquired. The settlements were scattered so that there was enough space all round and every inhabitant was able to have a little garden. Approximately 180 apartments were completed and ready to be inhabited. The new apartments consisted of 2 rooms, 1 kitchen-dining room and a bathroom. The rent per month was RM 12.-. Each house contained no more than 8 apartments, and the houses had only one floor. Larger apartments, consisting of 4-5 rooms were also built as detached and semi-detached houses. No discrimination was made in the allocation of apartments.

Seven public welfare buildings were erected in various places of the works in order to shorten the walking-distances. They each contained a large dining-room, a wash and shower-room, a dressing-room with lockers. The food was brought from the central kitchen to each public building by way of electric carts.

Recreation grounds were laid out, which were accessible to all works members and their families; furthermore a large and a small swimming pool, sports grounds for football, tennis courts with a clubhouse, large sportsgrounds with cinder-track, a football-ground, light athletics grounds, and an ice-skating rink for the winter, which had just been completed at the end of the war. The project for a new clubhouse with a theater-hall, sportshalls, skittle-alley, coffee-shop, lounge and library had been completed at the time when the war was ended.

The old casino was expanded and renovated. Regular movie-shows, concerts and variety shows were held there. Two sports associations - one for Slovaks and one for Germans - were supported by the works-management with apparatus and funds.

In order to secure the food-supply, a special farm was set up (120 cows, 300 pigs, 400 chickens, sheep, cattle). Another farm was leased in addition.

When the number of air-raids increased, a shelter-program was carried out upon instigation of Dr. GATTINEAU. 8 surface-shelters were built (because of underground-water), the walls were approximately 3 meters thick and were reinforced by ferro-concrete. The shelters provided enough space to accommodate all employees and their families, in as far as they lived in the works-settlement. The total costs amounted to 1 million Reichsmark.

I am able to state the following with reference to the production of the works in Pressburg: The production was first and foremost intended for peace-time purposes. In as far as new lines of production were built up, such products were intentionally chosen which were always likely to find a ready sale in peace-time even if the demand was small,

such as mining-explosives, high quality cellulose^{wool,} insecticides etc.

Dr. GATTINEAU was a member of the Verwaltungsrat of the Apollo-refinery. The business management was in other hands.

I have carefully read this affidavit, consisting of four pages, signed it in my own handwriting, and have made the necessary corrections and initialled them.

I declare on oath that my statements in this affidavit are true to the best of my knowledge and belief.

Trostberg, 5 February 1948

signed Maria Josefa v. KIEPERT

Signature certified:

Trostberg, 5 February 1948

Stadtrat
signature
Mayor

(seal)
City of Trostberg

AFFIDAVIT

I, Dr. Eugen FISCHER, born 10 April 1897 in Laichingen Kreis Muensingen (Wuerttemberg), residing in Aschau Kreis Muehlbach (Inn), have been warned that I render myself liable to punishment by giving a false affidavit; I hereby depose that my statement is true and was made to be submitted as evidence to Military Tribunal No. VI in the Palace of Justice Germany.

From September 1940 to March 1945 I was factory manager of Chemische Industrie AG Pressburg, and technical director of the same firm from October 1943 to March 1945. I was called to Pressburg under the technical aid scheme, by which IG, having concluded a license contract to that effect, rendered assistance to Chemische Industrie AG Pressburg. I accepted the position, as I considered the development of the Vistra factory as a very interesting sphere of activity. The managing directors of the firm were Herr Dr. Meyer and Dr. Gattineau, who had to act according to the instructions of the Verwaltungsrat, which consisted of Germans and Czechs. It was headed by Dr. Gajewski as president, and in the first place by Dr. Martinek as vice president, whom the Prager Verein later replaced by Dr. Adolf.

60 % of the firm's capital belonged to AG Dynamit Nobel Pressburg, and 40 % to the Verein fuer chemische und metallurgische Produktion, Prague. The two firms had decided in a syndicate agreement to build up the Pressburg Vistra factory. The capital needed to finance the Vistra factory was provided by the two firms in proportion to their participation (60 : 40). Other capital requirements were financed through credits. The factory was opened in the latter part of 1942. Production was primarily intended to supply the Slovak textile industry.

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and goods were distributed according to the instructions of the Supreme Slovak Supply Office in Pressburg. A small portion went as exports, namely to Switzerland and Hungary. Foreign Currency realized in these transactions^{was} credited to the Slovak National Bank.

All my collaborators, chemists, technicians and foremen, who had come to Pressburg under the IG technical aid scheme, concluded their contracts with Chemische Industrie AG voluntarily. In every kind of position we employed primarily indigenous personnel of German, Slovak and Hungarian nationality. The factory workers were exclusively indigenous labor. We never employed foreign workers of prisoners of war.

Jointly with Dynamit Nobel we carried out a comprehensive social program in Pressburg, consisting of the erection of new homes, recreation grounds, sports grounds, welfare offices, central messing facilities and supplementary food issues, as well as medical care through a special ambulance unit.

As regards wage policy, we afforded our employees additional income in the form of efficiency and long service bonuses beyond the provisions of bare tariff regulations.

All social institutions could be used by every employee irrespective of nationality.

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When the Russians stood just outside Pressburg, we^{too} left Pressburg with the 3 treks of the AG Dynamit Nobel, abandoning a completely undamaged factory with its most up-to-date equipment. Participation in the treks was entirely voluntary and to my knowledge all those employees and their families who wanted to do so, could join them. who availed themselves of this opportunity. Not one of my employees. Naturally, it was particularly the Reich and racial German employees/was in any way forced or compelled to join the treks and leave Pressburg; everybody could choose.

I have carefully read and signed this affidavit consisting of 3 pages. I hereby depose that in this affidavit I have stated the full truth to the best of my knowledge and belief.

Aschau, Kreis Muehldorf, 2 August 1947

signed: Dr. Eugen FISCHER

For the authenticity of above signature of Herr Dr. Eugen FISCHER

Aschau Kreis Muehldorf, 2 August 1947

signed: Dr. Helmut JUER

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Affidavit.

I, Dipl. Ing. Heinrich KNESCH, born 28 March 1898, Roman Catholic, occupation: farm manager; residence: Trostberg/Rhino, have been warned that I render myself liable to punishment by giving a false affidavit. I depose that my statement is true and was made to be submitted as evidence to Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany:

Having worked as chief of the Agricultural Advice Bureau "Dehag" from 1 February 1941 to 30 March 1945, and as export adviser and later inspector of Georgshof belonging to AG Dynamit Nobel Pressburg, I am able to testify the following about Georgshof and Dehag:

Georgshof had a dual purpose:

1) As Food Producer, to supplement the factory messhall menus as well as the employees ordinary diet. The farm supplied unskimmed milk, cattle for slaughtering, eggs, potatoes, vegetables.

For this purpose various new equipment had to be provided, such as a new cowshed, green fodder and potato silos, a chicken farm, and modern agricultural machines and implements. In 1944 another farm was rented to supplement all this.

2) As Model and Experimental Farm. Georgshof was also utilized for model and experimental farming. Cultivation was intensified by the growing of more vegetables requiring hoeing, (Hackfrucht) and seed-grain. The piggery housed a recognized pedigree herd. In addition, Georgshof worked an agricultural research field of 10 ha for Dehag's fertilization experiments in an annual crop rotation, as well as experiments with grasses, green fodder and soya bean species.

In the end, Georgshof was visited by many agricultural schools and groups of farmers, who wished to acquaint themselves with its modern installations. It also served as training and demonstration farm for Pressburg Agricultural College.

The fertilizer trade company Dehag had the task of supplying Slovak agriculture with fertilizers. Dehag sold superphosphate from the 3 Slovak factories in Pressburg, Sillein and Kostolany; furthermore, all nitric fertilizers and Thomas Phosphate imported by Germany into Slovakia, as well as lime fertilizer of the Slovak lime works, silicic acid "Amasil", and sulphuric acid of Slovak production.

To advise Slovak agriculture how to use these fertilizers efficiently, 3 agricultural advise bureaus were opened in Trencin, Neutra and Presov, their chiefs being Slovaks. Expert advice was given free of charge either verbally or by correspondence, lectures by experts, and in farmers' journals and broadcasts; also by instituting numerous fertilization experiments in every part of the country, as well as publication of educational brochures regarding the application of fertilizers.

Dehag worked a scientific research field of roughly 10 ha on Georgshof, and conducted a soil examination program in all parts of Slovakia.

The soil samples were examined in Dynamit Nobel's agricultural laboratories and the results were utilized by Dehag in advising agricultural enterprises. They also formed the basis for a soil topography of Slovakia. In order to encourage cooperation with agricultural authorities

a scientific advisory committee had been formed, which was composed of representatives of leading agencies of Slovak agriculture and German fertilizer industry. ~~its~~ conferences had a scientific character and served the progress of Slovak agriculture.

To my knowledge the imported nitrogen was used solely for fertilization purposes in Slovak agriculture, and it was distributed by authorized agencies.

It was Dr. G. who initiated the extension of Georgshof, and he also carried out the organization of the Dehag.

Departure with the horse trek, which was equipped when the Russians stood just outside Pressburg, and left Pressburg on Good Friday, was voluntary, exactly as in the case of the other two (train and motor) treks. I should know, because I myself was the leader of this trek.

I have carefully read and signed this affidavit consisting of 2 (two) pages; I have made and initialled the necessary corrections.

I hereby depose that all the facts of this affidavit were stated to the best of my knowledge and belief.

Trostberg, 6 September 1947.

Signed: Engineer K. NESCH

Seal:

For the authenticity of the signature

Trostberg, 8 September 1947

City of Trostberg

Stadtrat (town clerk)
signed signature
mayor.

AFFIDAVIT

I, Guenther KOEPKE, born 25 September 1913, Protestant, occupation: technical merchant, residence: Haar near Munich, have been warned that I render myself liable to punishment by giving a false affidavit; I hereby depose that my statement is true and was made to be submitted as evidence to Military Tribunal No. VI in the Palace of Justice, Nuremberg, Germany.

I was in charge of the Pressburg buying and sales department of AG Dynamit Nobel, from 1941 to 1945.

I am able to supply the following information regarding Dr. Gattineau's person:

Except for occasional attendance at compulsory Ortsgruppen or Zellen evenings, I know nothing of an active participation of Dr. Gattineau in AO Pressburg, especially as he was almost always away on trips, or at least used trips or overwork as an excuse for his absence.

I know Dr. G's negative attitude toward the AO from many talks with him, and this might explain the AO's distrust of him about which he frequently spoke. To my knowledge he was one of the many who did not belong to the AO.

Herr Schuhmacher, in his capacity as AO economy deputy for Pressburg (or Slovakia, - I am not familiar with his official competence -), repeatedly called at the factory and canvassed for the enrolment of all German employees in the Heimatschutzkompanie. Dr. G. told us at the time, that he personally was able to evade this

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only because he was a reserve officer, and as such he did not come under Herr Schuhmacher's competence. As regards speeches held by Dr. G. in Pressburg, I am able to say the following:

Apart from one short speech each at the opening of the explosive and the Vistra factory, I know of no public speech by Dr. G. except welcome addresses at the Dehaz conferences, which I did not attend, however. The former speeches had no political angle whatever, and they dealt purely with the factory and therefore with work. To be quite accurate I mention that I recollect a speech during the Christmas celebration at the factory, in which Dr. G. extended to the employees the directors' thanks for the work done in the past year; however, I do not consider this a public speech. Regarding Dr. G.'s personnel policy in Pressburg, I am able to say the following:

Herr Dr. G. never judged an employee by his nationality, but only considered character and efficiency when forming his opinion; consequently it would certainly be wrong to talk of preferential treatment of the Germans. Evidence of this is already provided by the fact, that many executive and semi-executive positions in the factories were held by Czechs, Slovaks and Hungarians.

It is probably not too much to say that the many unique and exemplary social institutions of the Pressburg factory were mainly his work. The following should be mentioned:

The erection of 300 most modern homes, which were let at the lowest possible rental, many more homes had been planned. The erection of various public utility wings with

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wash, shower, dressing and mess rooms in the various factories.

Now construction and extension of all kinds of sports grounds and 2 swimming pools.

The planting of a park for the employees and their families, where in Summer concerts were given on Sundays.

Medical care given by 2 factory physicians and 2 nurses, also to members of the families; in this connection the free letting of rooms, furniture and money gifts for a nursery.

The extension of the old casino building with messhalls, theater and cinema; a much larger employees' building was planned with entertainment facilities, coffee-houses, reading rooms, skittle alleys, etc.

The construction at tremendous cost (I believe 12 million Kronen) of underground air raid shelters for roughly 4 000 persons.

The 2 farms to improve factory menus, and to supply produce to employees. Cheap, first-rate and plentiful mass feeding through the factory kitchen available for everyone alike.

Much more was planned, but could not be carried out. Until 1942, nothing produced at the Pressburg factory was designated for military purposes, and from 1943 on only Diametan (vermicide), fog acid (Nobelsaure) (artificial fog used during air raids), and bisulphate (disinfectant). I am not aware whether the mining explosives sold towards the end of the war through the SVG (Sprengstoffverkaufsgesellschaft - Explosives Sales Company) Berlin, were for Wehrmacht purposes. As far as I remember offhand, diametan, fog acid and bisulphate represented roughly 3 % of the total turnover of Dynamit Nobel plus Vistra; including the above mentioned explosives,

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I should say the figure was about 10 %.

During the Slovak rising in 1944, the augmented factory police in Pressburg was not assigned outside the factory premises.

In reply to Attorney Aschenauer's question whether Dr. G., when leaving Pressburg in March 1945, ordered the files burned or the administrative building set on fire, I state the following:

I should hardly think so, as the building was still standing when the train left in the afternoon of Saturday before Easter, and the passengers on that train said that wages had been paid out that very day; furthermore the new directors, Lemos, Dr. Hoffmann and Krivoss had already taken charge of the administrative building on that Saturday, and were working in it. We in Aschau heard of the rumored fire months later, in September 1945, through Lemos as member of the commission, who during this visit particularly emphasized Dr. G's fair conduct.

About "Dohag" I have the following information:

Dohag, successor to the Pressburg branch of Fosfa-Frauco, was founded as a combine of Prager Verein Werk Silloin and Dynamit Nobel Pressburg; this was later joined by Kostolany, and thus included all Slovak superphosphate factories. Its purpose was the guidance of agriculture in fertilization questions, procurement of raw material for the manufacture of superphosphates, and sale and distribution of the Slovak sulphuric acid and fertilizer output according to factory quotas; also the sale, according to OVA (Supreme Slovak Supply Office) requirements, of additional artificial fertilizers imported from Germany.

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I am able to state the following with regard to the production of cellulose^{wool} in Pressburg:

The Vistra factory was founded jointly by the Prager Verein and the A.G. Dynamit Nobel Pressburg, for the purpose of manufacturing cellulose^{wool}.

According to my knowledge, the distribution of production was carried out exclusively in accordance with directives received from the Chief Supply Office (OVA) and moreover, chiefly for supplies to Slovakia; a small part - again following the wish of the OVA - was exported to Switzerland and to the South East, as a means of obtaining direct foreign exchange. As far as I am aware, only Vistra-cellulose went to the Protectorate Bohemia-Moravia and to Germany for purposes of refining so that they might be returned to Slovakia as thread or in the form of materials for weaving.

When we had to leave Pressburg, arrangements were made for us to be received at the Aschau works. Dr. G. was as much a guest at Aschau as we were. He had nothing to do with the foreign workers there. In the beginning he himself and his family lived in the foreigner's camp - as we did too - and he received the same rations as the foreigners. With regard to the Volkssturm, Dr. G's attitude was one of disapproval, as he did not consider it to be of any use. It was also due to him that we from Pressburg were not drafted into the Volkssturm.

In September 1945, after a thorough investigation by the American officials, Dr. G. was appointed as custodian of the Aschau plant. Concerning the characters of Racz, Merkl and Grumisch I have the following to state:

One cannot judge people such as these three, who have only experienced good from Dr. G. or from the plant, and who in return for this are guilty of distorting the facts and of making such denunciations, one can only reject them and despise them. This applies to all three, but in particular to Racz who undoubtedly was the spokesman.

I have carefully read this affidavit consisting of 4 (four) pages and have countersigned it myself, I have made the necessary corrections in my own handwriting and countersigned them with my initials, and I herewith declare on oath that to the best of my knowledge and belief the facts which I have related in this affidavit are in full accordance with the truth.

Herr b/ Muenchen, 6 September 1947

Signed: Guenther KOEPKE

The above signature of Herr Guenther KOEPKE is hereby officially confirmed to be authentic.

Garching a. Mz, 8 September 1947

Parish Council Garching a. Mz.

Burgomeister

Signed: Signature

Stamp

Parish

Garching a. Mz.

Affidavit.

I, Gottfried PEITZEL, born on 9 December 1899, Religion: protestant; Profession: Chef; Address: Fabrickstr. 9, have been cautioned that by making a false affidavit I render myself liable to punishment. I hereby declare on oath that my statement is true and was made to be submitted to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I was in charge of the mess and the plant catering system for the A.G. Dynamit Nobel in Prossburg. The menu for the week was roughly as follows: Monday: Vegetable soup, Risotto with gherkins
Tuesday: Soup, Roast meat, vegetables, potatoes
Wednesday: Soup, Potato dumplings with tomato sauce, salad.
Thursday: Soup, roast pork, roasted potatoes salad
Friday: Soup, noodles with mohn
Saturday: Soup, beef gulasch with potatoes.

There was no distinction made between the Germans, the Slovaks or the Czechs in the matter of food. As far as I know, a worker paid 3 Kronen for the meal and an office worker 5 Kronen. The office workers ate in the mess and were given special service, and a white table-cloth (thus the distinction). The difference of 4 - 6 Kronen for each individual meal was made up by the firm. The firm also bore the entire overhead expenses for the mess.

Apart from the midday rations, all the employees were given other food-stuffs in addition.

Sometimes bacon, meat and fat were distributed. The distribution was jointly carried out by the Slovakian Betriebsbezaehler and by the German Betriebsbezaehler (~~NSDAP factory officials~~) irrespective of nationality. The plant employees living in the works colony were also given full-cream milk, likewise without any discrimination being made. Furthermore, pigs were fattened at Georgshof, which the work's employees could then take over on easier terms of payment. (Monthly installments). Lively interest was shown in this matter. When we left Pressburg those taking part in the three different evacuation trains did so voluntarily. The catering for the evacuation trains was prepared beforehand and was sufficient to last for several months.

In Aschau, Dr. GATTINEAU exerted himself on behalf of his former plant employees in an exemplary manner. In this respect he came up against considerable difficulties with the local works management.

I am able to state the following with regard to the characters of Racz Markl and Grunich:

I did not know Racz very well in Pressburg; in Aschau he showed the worst side of his character.

Markl made a good impression in Pressburg but then in Aschau he came completely under Racz's influence.

The same thing applied to Grunich as to Markl, perhaps to an even greater degree, for in Aschau Grunich behaved with particular ingratitude towards Dr. GATTINEAU.

I have carefully read this affidavit consisting of 2 (two) pages

and have countersigned it myself, I have made the necessary corrections in my own handwriting and countersigned them with my initials, and I herewith declare on oath that to the best of my knowledge and belief the facts which I have related in this affidavit are in full accordance with the truth.

Trostberg, 6 September 1947

signed: Gottfried PENTZEL

Signature certified!

Trostberg, 9 September 1947
City Council

signed: signature
Burgomeister

seal:
City of Trostberg

Affidavit.

I, Dr. Albrecht EISS, born on 22 September 1890, resident of Heidelberg, have been warned that by making a false affidavit I render myself liable to punishment. I declare on oath that my statements are true and were made to be submitted to Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

During the years between 1940 to 1944 I visited Dr. GATTINEAU approximately 5 -6 times at the Pressburg Works of the A.G. Dynamit Nobel, Pressburg, where he was employed as managing director. On these occasions he asked me for advice on a number of social-political problems arising in his factory; he told me of his plans in this sphere and on occasion described the social establishments. From all this I was able to ascertain that Dr. GATTINEAU took a lively interest in improving the social conditions of the workers and office employees in the plant and in bringing them up to the same standard as that maintained by the I.G. Werke. He built recreation rooms, dining-rooms and bathrooms for the working staff, new sport installations, caused new work's communities, supported the re-establishment of the pension's fund and had a Works news-sheet printed in the German and Slovakian languages after the fashion of the I.G. Werkszeitung. He took part in the Work's sports himself, and because of this he was acknowledged and liked by the entire staff. His social activities in Pressburg have left behind good effects which are undoubtedly still felt by the staff; I am quite convinced that the standard of the social establishments in the works was far higher at the termination of Dr. GATTINEAU's employment, than it was at the time when he became

manager of the works.

I have carefully read through this affidavit consisting of one page and have countersigned it myself. I declare on oath that to the best of my knowledge and belief, the facts as represented in this statement are in complete accordance with the truth.

Nuernberg, 16 February 1948.

Signed: Dr. Albrecht WEISS

The above signature is hereby certified to be that of Herr Dr. Albrecht WEISS.

Nuernberg, 16 February 1948

Signed: Heinrich von ROSPATT

O.K. KAYN

A f f i d a v i t .

I, Oskar K. KAYN, born on 3 September 1888 in Berlin, Roman Catholic, industrial director, resident of Vienna VI, Gumpendorferstrasse 89, have been cautioned that I render myself liable to punishment by making a false affidavit. I declare on oath that my statement is true and was made to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

As a member of the A.G. Dynamit Nobel, Pressburg, I made the acquaintance of Director Dr. Heinrich GATTINEAU in March 1939. My professional position required constant cooperation with him, and seven years of personal contact enable me to state truthfully that

Herr Dr. GATTINEAU

- 1) in his leading position, made his decisions on a generous scale without prejudice and partiality;
- 2) was always a benevolent and sympathetic superior to all the members of the company, irrespective of their nationality, race or religion;
- 3) disregarding political dogma and in spite of the danger to his own security, arranged for the company to continue paying pensions to the following Jewish employees of the company:

Director Ing. B. Freund,

Director Hermann Schwarzwald,

plant manager Dr. Paul Frank,

thus saving them and their families from distress and destitution;

- 4) free from all national conceit, picked from the Czechoslovakian

employees of the company
Chief Engineer Ed. Vesely,
Karel Lamos,
Dr. R. Hoffmann

and appointed them Prokurists of the company thus answering
national considerations;

- 5) repeatedly supported employees of the company who had become ill
and distressed from his own funds.

Outside of his profession I learned to know the private man as a
convinced Catholic who, in the spirit of Christian tolerance and
true humanism was always a representative of righteousness and
benevolence; I esteemed Dr. GATTINEAU as a most respectable man of
firm character, whose actions were humane, just and honorable.

As to my person:

I myself never was a member or Party applicant of the NSDAP or any
of its organizations.

I have read the foregoing deposition consisting of two pages in the
German language, and declare that it is the full truth to the best
of my knowledge and belief.

Vienna, 1 October 1947

signed: Oskar K. KAYN

Austrian fee stamp 2 shilling 1946

Document Register No. 2545/1947

I hereby certify and attest the above signature, which was affixed
before me, to be that of Herr Oskar K. KAYN, industrial director,
who is known to me personally.

and

Vienna, ninth October nineteen hundred/forty-seven.

signed: Dr. Egon -Lehner-Bolzani

Public Notary

seal: Dr. Egon Lehner-Bolzani

Public Notary and sworn court interpreter
for the Italian language, Vienna City

AFFIDAVIT

I, Robert Seydl, born on 2^d April 1892, Roman catholic, civil servant, Aschau near Krauburg on the Inn, factory, have been cautioned that I render myself liable to punishment by making a false affidavit. I declare on oath that my statement is true and was made to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Muenberg, Germany.

Personal details about Dr. Heinrich Gattineau.

During his six years on activity as managing director of the Konzern AG. Dynamit Nobel in Prossburg from fall 1938 to 30 March 1945,

I believe I was the only person whom Dr. Gattineau consciously or unconsciously showed any injustice, namely in that he pensioned me off compulsorily without reason after 30 years of service. In spite of this I do not harbor any bitter feeling toward him, but pay him my high respects; and for this reason I believe my statement will be all the more credible. Dr. Gattineau was esteemed and - if I may use the expression - worshipped by all the personnel, irrespective of nationality and religion. There were sufficient reasons for it. Immediately after taking over the management, he increased the wage-rates throughout. In addition to the wages he granted a bonus for service, amounting to 10 % after one year's employment, and to 20 % after two years. Thus, in fact, 90 % of the personnel earned a higher wage by the "bonus for service". He also refrained from collecting rents for the apartments of the old plant's dwelling colony, up to 40 % of the tenants of which were old poor pensioners of the plant. For the Dynamit Nobel, excepting Vistraf, he had 104 new, modern plant's apartments built. Thanks to his initiative, a modern and splendid open - air bathing pool and a sport ground

were laid out. To the existing employee's canteen he had a plant's kitchen for the workers added, where savoury and plentiful meals were served against quite a moderate payment and a considerable subsidy provided by the firm. Irrespective of nationality, each member of the firm was able to submit to him all his troubles and wishes and ^{as former personnel chief} I do not remember a single case, when Dr. Gattineau, ~~as former personnel chief~~, did not help. For instance the Slovak government had ordered all Czechs from Slovakia to be expelled. With the AG. Dynamit Nobel in Pressburg there were proportionately many Czechs employed. Yet, in spite, of the existing order of the Slovak government, Dr. Gattineau succeeded in not having a single Czech dismissed from service with the AG. Dynamit Nobel in Pressburg. The following Czechs remained in their positions as before:- Chief engineer Eduard Vesely, chief clerk Karl Lames, engineer Klement Ptacovsky, designer Josef Odehnal, workshop foreman Josef Honzicek, administrative official Vaclav Bilck, discount clerk Oldrich Triner and many others. On the contrary, after the management had been taken over by Dr. Gattineau the racial Germans of Pressburg expected promotions in their positions. This did not happen; but Dr. Gattineau, however, appointed chief engineer Vesely and chief clerk Lames - the above mentioned two Czechs, as Prokurists - engineer Zdenke Krives as Director and Prokurist of the subsidiary Dynamona. He also protected the Czechs against all attacks under the national persecution by the Hlinka-Guard. Towards Jews, Dr. Gattineau behaved more than correctly. The so-called Slovak government, supported by the Slovak people's party "Hlinkas" and its SS-like organisation, the Hlinka guard, was trying to excel the Nazis and had, by official regulations and laws, decreed the expropriation of Jewish property and

- 3 -

the dismissal of all Jewish employees. Yet Dr. Gattineau did the following for individual Jews: for instance:

The Director General of the A.G. Dynamit Nobel was a half-Jew named Erwin Philipp. He was an honorable and noble man whose like is seldom to be found; he was kind and just. Dr. Gattineau secured an annual pension of Czech Kronen 335 000.- net for him and helped him to emigrate to Switzerland unmolested, where this kind man died in 1940, I believe.

The deputy director general Dipl.Ing. Bela Freund (Jew), through the influence of Dr. Gattineau, was employed by the subsidiary of the AG. Dynamit Nobel in Budapest and later on in Yugoslavia, and when this was no longer possible on account of higher influence, he received a monthly pension of Czech Kronen 7 500.-. High government officials were receiving a monthly salary of 5 - 5000 Kronen. In accordance with the regulations issued by the Slovak government, Herr Schwarzwald, being a Jew, could no longer retain his position as commercial director of the A.G. Dynamit Nobel in Pressburg. Dr. Gattineau arranged a monthly pension of Czech Kronen 7 500.- for him. A high government official of equal rank was receiving Kronen 4 500.-. Dr. Gattineau furthermore protected Herr Hermann Schwarzwald from racial persecution and repeatedly used his influence in his favour.

Dr. Paul Frank (Jew) was retained in employment by Dr. Gattineau up to 30 March 1943; he then received a monthly pension of Czech Kronen 3 500.- and considerable additional payments for advisory services which he continued to render unofficially. The technical director, Dipl. Ing. Oskar Doehn (Jew) who had been prevented from carrying out his functions, owing to illhealth, before ever Dr. Gattineau took over the management, was paid an annual pension of Czech Kronen 36 000.- on Dr. Gattineau's instructions. Apart from this he repeatedly protected him and his family from racial persecution on the part of the Germans as well as on the part of the Czechs.

- 4 -

On 3 September 1946 numerous former members of the personnel who are staying here made the following affidavit for the attention of Dr. GATTINEAU (copy):

"The undersigned, formerly employees of the plant Aktien-Gesellschaft Dynamit Nobel in Pressburg, hereby truthfully declare on oath, voluntarily and without being influenced by any interested agency or person that

- 1.) Dr. Heinrich GATTINEAU, their former managing director in this capacity at Pressburg from the fall of 1936 up to 30 March 1945 exercised no duress whatsoever on any of his employees nor gave preference or made exceptions either for political, ideological, racial, national or religious reasons, and that the members of the personnel were all equal in his eyes,
- 2.) in spite of the prevailing propaganda Dr. GATTINEAU as managing director did not feel obliged to make the personnel accept and recognize National Socialist ideology and paid strict attention to guaranteeing the national interests of Czechs, Slovaks, Germans and Hungarians,
- 3.) Dr. Heinrich GATTINEAU - over and above the usual benevolence shown by a superior towards each of his employees, was an extremely kind, humane and just supreme chief, who not only offered his advice but actually rendered assistance so that the whole personnel, irrespective of its national composition, held Dr. GATTINEAU - and does so today - in the highest esteem and affection; they looked upon him as an example of a chief not to be surpassed.

Aschau, 3 September 1946

numerous signatures

I have read the foregoing deposition consisting of three pages, in the German language

and declare on oath that it is the full truth to the best of my
know ledge and belief. I have had the opportunity of making
alterations and corrections.

Aschau, 4 February 1948

signed Robert SEYDL

Certified true signature:

Local Counsel:
signed REITER

Aschau, 5 February 1948

Seal: community Aschau near Kraidburg, Bavaria.

A f f i d a v i t

We, the undersigned, formerly employees of the Aktien-gesellschaft Dynamit Nobel, Pressburg, have worked for many years under the supervision of Dr. Heinrich GATTINEAU and to the best of our knowledge and belief can state the following:

Dr. GATTINEAU never took an active part in the sense of Party-politics during his activities in Pressburg, since he gave all his attention to the management of the plant. Accordingly he at no time exercised any political pressure on the employees in any respects whatsoever. The extremely benevolent and just attitude taken by Dr. GATTINEAU towards the workers was well known and moreover, it made itself felt irrespective of nationality. He was always ready to lend an ear to the personal wishes of his people; many social improvements, especially the building of plants' dwelling houses were in the first place due to the initiative of Dr. GATTINEAU.

Aschau, 6 December 1945

signed: Gsunga Julius

Georg Tschur

Kaiser Franz

Alfred Schmitt

Julius Tschur

Johann Melkus

Otto Melkus

Julius Pischek

Dipl. Ing. Erich Kari

A f f i d a v i t

The undersigned, former members of the works, the Action-Gesellschaft Dynamit Nobel in Pressburg hereby declare on oath, in accordance with the full truth, voluntarily, and without being subjected to any influence by any agency or person interested that

1.) Dr. Heinrich GATTINEAU, their former managing director ^{in this capacity at Pressburg} from the fall of 1938 up to 30 March 1945, exercised no duress whatsoever on any of his employees, nor gave preference or made exceptions either for political, ideological, racial, national or religious reasons, and that the members of the personnel were all equal in his eyes,

2) that in spite of the prevailing propaganda Dr. GATTINEAU as managing director did not feel obliged to make the personnel accept and recognize National Socialist ideology and paid strict attention to guaranteeing the national interests of Czechs, Slovaks, Germans and Hungarians,

3) that Dr. Heinrich GATTINEAU, over and above the usual benevolence shown by a superior towards each of his employees, was an extremely kind, humane and just supreme chief towards those who honestly fulfilled their duties. He not only offered his advice but actually rendered assistance so that the whole personnel, irrespective of its national composition, held Dr. GATTINEAU - and does so today - in the highest esteem and affection; they looked upon him as an example of a chief not to be surpassed.

Aschau, 3 September 1946

signed: Maria Kampitsch, Schmid Alfons, Werber Anton, Tschur Gustav, Titze Josef, Eduard Fatsolt, Julius Brada, Ing. Czerwenka, Karl Spetka, Walter Schmitt, A. Klose, Tschur Georg, Copella Rudolf, Markl Ludwig, Mack Joh. Sielesch Johann, Robert Seydl, Ing. Erich Kari.

S t a t e m e n t .

The undersigned engineer Johann S-RINZL, born at Pressburg on 29 November 1884, hereby declares on oath that Dr. Heinrich GATTINEAU has been personally known to him since 1939 - when he came to Pressburg as managing director of the A.G. Dynamit Nobel.

As Director of the Pressburg milk cooperative which was not of German national character, I conferred with him about the Dynamit A.G.'s entry into the Federation of cooperatives, gave him my advice concerning the expansion of its dairy enterprise for the supply of the plant employees, and it was, eventually through my intervention that our family estate was let on lease to the Dynamit A.G.

On all these occasions I became firmly convinced that GATTINEAU, who worked under difficult national conditions at Pressburg, was at all time guided only by economic and commercial aspects and, always impartial and fair, never caused trouble with respect to national questions or Party policy. The social installations established by him for the plant employees and workers, were perfect and served as a model for Pressburg.

GATTINEAU and his family were orthodox catholics which is confirmed also by the fact that he took over the ecclesiastical patronages in the community of Weinern when the estate was let on lease.

The undersigned was never a member of the NSDAP or of any of its affiliated organizations.

Gmunden, 6 June 1947

signed: Ing. Johann S-RINZL
at present residing at Gmunden,
Ort 46

Austrian stamp
2 shillings 1946

Document Register number 335/47

I hereby certify the authenticity of the above signature of engineer
Johann SPRINZL, former dairy manager, residing at present at Gmunden,
Ort number 46, Austria.

Gmunden, on the seventh of June one thousand nine hundred and forty-
seven.

Fee for certification and turnover tax	S 5.11
stamp	S 2.--
total	<hr/> S 7.11

signed: Dr. R. Hans STEINER
Public Notary

seal: Dr. Rudolf Hans STEINER
Public Notary at Gmunden
Upper Austria

S t a t e m e n t .

Austrian stamp 2 shillings 1946.

I hereby gladly certify that I have known Dr. Heinrich GATTINEAU since 1938 when he came to Dynamit Nobel AG, Pressburg, as managing director. In the following years, I, as manager of the Union-Bank, Pressburg, not only had the opportunity of getting to know him in business affairs, but also of becoming privately acquainted with his family. I therefore know that a Christian catholic spirit always reigned in the Gattineau family.

Dr. GATTINEAU was entirely absorbed in his business affairs which he always handled according to purely commercial aspects. In his business decisions, he was not influenced by political considerations and he always distinguished himself by great impartiality in judging his colleagues. He always treated his customers, employees and workers who were of a different nationality, as equals, acting correctly and as a good colleague. He deserves particular merit for modernizing and most generously and considerably enlarging the social installations for the workers and employees of the A.G. Dynamit Nobel.

I, Franz STEPHAN, born on 6 April 1895 at Pressburg, residing at Vienna 17, Dornbacherstrasse 88, hereby declare on oath that the above statement is true. I was never a member of the NSDAP or any of its affiliated organizations.

Vienna, 17 May 1947

signed: Franz STEPHAN

Vienna, 17 May 1947

Austrian stamp
2 shillings 1946

Document Register
Number 601/1947

I certify the authenticity of the above signature of Herr Franz
STEPHAN, employee, residing at Vienna XVII, Dornbacherstrasse
No. 88.- Vienna, the seventeenth of May one thousand nine
hundred and forty-seven.

signed: Dr. Carl MAHLKNECHT
Public Notary o.h.

seal: Dr. Carl Mahlknecht
Public Notary
Vienna - Innere Stadt

CROSS EXAMINATION

of the witness Paul SCHMIDT by Dr. DIX
on 2 October 1947 in the afternoon,
pages 1374 - 1375 German transcript
(page 1594 English transcript).

Pages 1374/1375:

By Dr. DIX:

Q.: I should like to put a question in connection with the findings of the IMT judgment as far as knowledge of aggressive war intentions and the relationship of these findings to the ordinary German's knowledge are concerned. It is known to you, Dr. SCHMIDT, that SCHACHT was acquitted, and no doubt it will be known to you that SCHACHT played a very important part in Germany's rearmament. Is that not so?

A.: Yes.

Q.: May I read the relevant brief passage from this judgment to you?

"It is clear that SCHACHT was central figure in connection with the German rearmament program. The measures he took, especially in the first days of the Nazi Regime, were responsible for Nazi Germany's speedy rise as a military power. But rearmament as such is not criminal if carried out as a state function. If it is to constitute a crime against Art. 6 of the statutes, then it would have to be shown that SCHACHT furthered rearmament as part of the Nazi plan for aggressive wars".

I would like to put the same question with respect to DOENITZ. It is, of course, known to you that DOENITZ too was acquitted on this count. I suppose you know that.

A.: Yes.

Q.: And you know that DOENITZ had played an important part in the rearmament of the U-Boat Arm long before the war. You know about that, do you not?

A.: Yes.

Q.: I quote:

"Although DOENITZ organized and trained the German U-Boat arm, the evidence does not show he was privy to the conspiracy to wage aggressive wars or that he prepared and initiated such wars. He was professional officer performing strictly tactical duties. He was not present at the important conferences when plans for aggressive wars were announced, and there is no evidence that he was informed about the decisions reached there."

I want to ask you in this connection whether you know that the ordinary German or any of these defendants knew more about German plans for aggressive wars, about Hitler's plans for aggressive wars, than SCHACHT and DOENITZ?

A.: Certainly not.

I certify that the foregoing document is a verbatim copy of
the cross examination Paul SCHMIDT by Dr. DIX on 2 October 47,
afternoon, pages 1374-1375, German transcript.

Muernberg, 1 April 1948

signed: Rudolf ASCHENAUER
Counsel for the Defense

Excerpt from Schmitz No. 35:

pages 1 sqq.

Copy:

International Military Tribunal
Nuernberg, Germany, 2 May 1946,
Session from 14.00 to 17.00 hrs.

E x c e r p t

pages 8747 - 8750

(Examination of Dr. Hjalmar SCHACHT by Dr. DIX)

.....

pages 5 sqq:

... Now this question: What were the effects, on your conspiracy, of the honors rendered in the well-known manner to the Nazi Regime by foreign countries?

A.: Numberless statesmen of almost all nations - including some sovereigns - paid visits to Hitler at Berlin during the whole period from 1935 up to and including 1938; e.g. Under Secretary of W. State Phillips came from America.

Q.: But do not give names.

A.: No, I said so only because names were explicitly referred to here. This does not apply only to Europe, and I do not intend to make political statements, but I merely state that there were so many guests, whose visits meant not only recognition but also distinction for Hitler, that this man was considered as a very great man by the German people. I remember that - I believe in or about 1925 - the king of Afghanistan

Amanulla, as the first foreigner, paid a visit to the Social-Democrat Government in Berlin and was honored because at last an important personage from abroad had come to us. With reference to Hitler, the number of visitors grew rapidly from 1935 onwards, and Hitler achieved one success after the other in foreign politics which made it extremely hard for us to explain the situation to the German people and rendered it impossible for us to further such enlightenment within the German people.

I, Hanns GIERLICH, deputy Counsel for the Defense before the US Military Court Nurnberg, hereby certify that the foregoing document is a verbatim copy of the transcripts of the afternoon session of the International Military Tribunal, Nurnberg, on 2 May 1946.

Nurnberg, 9 January 1948

signed: Hanns GIERLICH

signed: Hanns GIERLICH

A f f i d a v i t .

I, Lisolotte von ZUKOWSKI, born on 8 November 1904, Secretary, living at Kaunstrasse 17, Berlin-Zehlendorf, -West have been warned that I render myself liable to punishment by making a false affidavit. I declare herewith on oath that my statement is true and was made to be submitted as evidence to the Military Tribunal No. VI, at the Palace of Justice, Nuernberg, Germany.

I was employed in the Wipo from 9 November 1933 until 31 December 1934, Chief Secretary from 1 January 1935 until 20 April 1945.

In the summer of 1939 Dr. GATTINEAU, whose family was still living in Berlin though he himself was already active at Pressburg (Bratislava), had rented, for a prolonged period, a weekend cottage on the island of Borkum for use by himself and his family during his vacations. At the outbreak of the war, he had to be recalled from Borkum by telegram, since he had been called up for the army.

I have carefully read and personally signed this statement consisting of one page, and have made the necessary corrections and counter-signed them with my initials.

I declare herewith on oath that the facts stated in my affidavit
are the truth to the best of my knowledge and belief.

Berlin-Zehlendorf, 20 March 1948

Signed: Liselotte v. ZUKOWSKI

I certify herewith that the above signature was affixed and
certified before me, Fritz NAUMANN, Assistant Counsel for the
Defense.

Signed: Fritz NAUMANN

Assistant Counsel for the Defense.

Berlin-Zehlendorf, 20 March 1948.

THE VERDICT OF NUERNBERG

(Complete Text)

Munich 1946

Nymphenburg Publishers.

SCHACHT

Page 151 (of German Text, 309 of English translation)

.....After the occupation of Austria he arranged for the incorporation of the Austrian National Bank into the Reichsbank and made a violently pro-Nazi speech in which he stated that the Reichsbank would always be Nazi as long as he was connected with it, praised Hitler, defended the occupation of Austria, scoffed at objections to the way it was carried out and ended with "To our Fuehrer a triple Sieg Heil" (EC 297a, U.S. 632).....

.....SCHACHT was not involved in the planning of any of the specific wars of aggression charged in Count 2. His participation in the occupation of Austria and the Sudetenland (neither of which are charged as aggressive wars) was on such a limited basis that it does not amount to participation in the common plan charged in Count One. He was clearly not one of the inner circle around Hitler which was most closely involved with this common plan.

.....The case against SCHACHT therefore depends on the inference that SCHACHT did in fact know of the Nazi aggressive plans.

On this all important question evidence has been given for the Prosecution,

and a considerable volume of evidence for the Defense. The Tribunal has considered the whole of this evidence with great care, and comes to the conclusion that this necessary inference has not been established beyond a reasonable doubt.

DOENITZ

Page 152 (German text, page 310 English transl.)

.....He was not present at the important conferences when plans for aggressive wars were announced, and there is no evidence he was informed about the decisions reached there.....

FRITZSCHE

Page 183: (German text, page 336 English translation).

.....This is the summary of FRITZSCHE's positions and influence in the Third Reich. Never did he achieve sufficient stature to attend the planning conferences which led to aggressive war; indeed according to his own uncontradicted testimony he never even had a conversation with Hitler. Nor is there any showing that he was informed of the decisions taken at these conferences. His activities cannot be said to be those which fall within the definition of the common plan to wage aggressive war as already set forth in this judgment.....

I certify herewith above document to be a true and literal excerpt from "the verdict of Nuernberg" - "Das Urteil von Nuernberg" -, Munich 1946.

Nuernberg, 1 April 1948

Signed: Rudolf ASCHENAUER
Counsel for the Defense

Dr. Karl MEYER

Affidavit,

I, Dr. Karl MEYER, born on 14 January 1898 at Guestrow i. Mecklenburg, living at Troisdorf, Kaiserstrasse have been warned that I render myself liable to punishment by making a false declaration. I declare herewith on oath that my statement is true and was made to be submitted as evidence to the Military Court No. VI at the Palace of Justice, Muernberg, Germany.

From 1 January 1939 until the capitulation 1945 I was Managing Director of the A.G. Dynamit Nobel, Pressburg (Bratislava) and can state the following:

As far as I remember, Dr. Heinrich GATTINEAU, in 1940, took part at a meeting of the Commercial Committee of I.G. when questions of the so-called "New Order" were discussed. Immediately after his return, Dr. GATTINEAU discussed these matters with me and we agreed that the companies under our control - particularly A.G. Dynamit Nobel, Pressburg - should not submit any desires and proposals in connection with the suggestions made with reference to the draft "New Order". This was actually carried out. Neither Pressburg nor any affiliated company submitted any wishes or proposals in connection with the draft later known under the designation "New Order". In Dr. GATTINEAU's opinion and mine neither Pressburg, nor the affiliated companies had suffered damages through the Versailles Treaty or other Peace Treaties

which justified the pronouncement of special wishes for reparation claims for these damages.

I have carefully read and personally signed this affidavit consisting one page, have made the necessary corrections and countersigned them with my own initials.

I declare herewith under oath that the facts mentioned in this affidavit are true, according to my best knowledge and belief.

Troisdorf, 3 February 1948

Signed: Dr. Karl MEYER

Document Roll No. 188 for 1943

I certify above signature, affixed before me, to be that of Dr. Karl MEYER, Chemist, living at Kaiserstrasse, Troisdorf.

Siogburg, 12 February 1948

The Public Notary:

Signed: Signature

Dr. Max HARTMANN

Seal:

Dr. Max HARTMANN

Notary at Siogburg.

DOCUMENT BOOK V GATTINEAU
GATTINEAU DOCUMENT No. 99

Aschau near Kreiburg, 28 February 1948

Affidavit.

I, Dr. Eugen FISCHER, born on 10 April 1897 at Leichingen, Kreis Muensingen, and living at Aschau near Kreiburg, herewith declare the following on oath, being aware that I render myself liable to punishment by making a false declaration and knowing that my affidavit is to be submitted as evidence to the Military Court No. VI at the Palace of Justice, Nuernberg.

On 12 September 1945, Dr. Heinrich GATTINEAU was presented as officially nominated Custodian of the Aschau factory to the assembled Section Chiefs of Factory Aschau, namely to: Architect "alter TOTZ, Dr. Herbert Seitz, Engineer Mertins and Dr. Eugen Fischer. The presentation was made in the administrative building of factory Aschau by Major Silvy (as far as is known, he is of the Munich Property Control of the Military Government) Lt. Lang (Property Control of Military Government at Muehldorf) Mr. Farkas (from Munich as speaker) and a Captain; Mr. Farkas adding words of very great appreciation of Dr. GATTINEAU. Previously there had been an investigation of several days on Dr. GATTINEAU from 10 - 12 September, carried out by Major Silvy and Mr. Farkas.

On 18 September 1945 Major ROGERS from Gendorf, as Sub-Control Officer for I.G. Farben, took over the Main Direction of factory Aschau, confirming Dr. Gattineau as his local deputy.

Signed: Eugen FISCHER, Dr. Ing.

I certify the authenticity of above signature.

Aschau, 1 March 1948 Parish-Council

Seal:
Parish of Aschau near Kreiburg

Signed: REITER

 CERTIFICATE OF TRANSLATION

20 April 1948

We, ELLI KENNETT, MONICA WELLS, AMALIA WIEZER, HANNAH
 SCHLESINGER, AUDREY LOVEY and M.E. MASON, hereby certify that
 we are duly appointed translators for the English and German
 languages and that the above is a true and correct translation
 of the Document Book V Gattineau.

pages I - IV
 33 - 42

ELLI KENNETT
 ETO N. 16673

" 1 - 9

MONICA WELLS
 ETO N. 20148

" 10 - 25
 59 - 67

AMALIA WIEZER
 ETO No. 25 267

" 26 - 32

HANNAH SCHLESINGER
 ETO N. 20081

" 43 - 49
 50 - 58

AUDREY LOVEY
 ETO No. 20115

" 68 - 74

M.E. MASON
 ETO. 6176

" ENC "

Case 6
Defense

TRANSLATION OF SUPPLEMENT I GATTINEAU
OFFICE OF CHIEF OF COUNSEL FOR WAR CRIMES

CASE VI

TRIBUNAL VI

Supplement I

to Document Books I - V

for

Dr. Heinrich Gattineau

presented by:

Rudolf Aschenauer

Defense Counsel

Tung



SUPPLEMENT I GATTINEAU

Table of Contents
to Supplement I of Document Books I - V
for Dr. Gattineau.

Doc. No.	Exh. No.	Description of Document	Page
101		Supplement to Document Book I: Excerpt from the memo about the 68th meeting of the Working Committee on 15 April 1932: This excerpt from a meeting of the Working Committee shows the attitude of the I.G. "against autarchy and state controlled economy in 1932".	1
102		Supplement to Doc. Book III: Excerpt from the memo about the 6th meeting of the Commercial Committee on 20 January 1938.	2
103		Excerpt from the memo about the 8th meeting of the Commercial Committee on 11 March 1938. It follows from these excerpts that Herr Waibel has to handle centrally all more important questions arising from the relations with the Foreign Organisation of the NSDAP.	3
104		Supplement to Document Book III. Excerpt from the memo about the 30th meeting of the Commercial Committee on 13 March 1940. It follows from this, that in the year 1940 the M question (mobilisation) was still discussed within the Commercial Committee.	4

SUPPLEMENT I GATTINEAU

Table of Contents

to Supplement I of Document Books I - V
for Dr. G a t t i n e a u

Doc. No.	Exh. No.	Description of Document	Page
105		Supplement to Document Book I: Excerpt from the memo about the 36th meeting of the Commercial Committee of the I.G. It follows from the memo excerpt of this Commercial Committee meeting that the South- Eastern Europe Committee of the I.G. "had no deciding but only advisory functions."	5
106		Supplement to Document Book II: Affidavit Stalling: The witness describes a conference of Roehm with leaders of the SA at Koenigstein/Saxony in 1934, at which Roehm, among other things, advocated an agreement with all states border- ing on Germany. Roehm said that he would never lend his hand to support the greed for power of individuals. The peace of Europe would thereby be endangered. Roehm opposed at this meeting further- more close relations with Italian Fascism and said, that there was only one orientation for Germany, namely, to the West. In conclusion the witness states that one of those participating, was arrested on 30 June 1934 for taking part in this meeting.	6

SUPPLEMENT I GATTINEAU

CERTIFICATION

I declare, that all documents contained in this Document Book correspond literally to the documents submitted to the Court.

Nuernberg, 6 April 1948.

Rudolf Aschenauer

Defense Counsel of the Defendant
Gattineau.

Excerpt from the memo about the 68th Working Committee meeting
on Friday the 15th of April 1932, 9.30 A.M. at the Administration
Building in Frankfurt / Main.

Page 3:

Item 5 of the Agenda

.....

Dr. von Knieriem states that conferences with the large foreign
corporations took place. In this connection discussions were also
held about safeguarding the German market. Dr. von Knieriem stated
precisely the attitude of the I.G., which is opposed to autarky
and a state controlled economy and ^{which} is also in conformity with the
opinion voiced in the last article by - Geheimrat Bosch;

I certify hereby, that the above document represents a true excerpt
from the memo taken at the 68th meeting of the working Committee
on 15 April 1932.

Nuernberg, 2 April 1948.

signed: Rudolf Aschenauer

Defense Counsel

SUPPLEMENT I GATTINEAU

Doc. No. 102

Excerpt from the memo about the 6th meeting of the Commercial Committee on Thursday, the 20 January 1938, at 9.30 A.M., at Frankfurt/Main, Grueneburgplatz..

.....

7.) Co-operation with the Foreign Organisation of the NSDAP (A.O.)
and the Office for Foreign Trade (Aussenhandelsstelle) Berlin.

Herr Waibel gives a detailed account of his conference with Herr Bisse and Admiral Menche ret. of the Foreign Organisation of the NSDAP and Dr. Siegert of the Office for Foreign Trade Berlin. Both of these agencies highly welcomed the arrangement made by the Commercial Committee according to which Herr Waibel will handle centrally all more important questions arising from the relations with these agencies.

.....

I certify that the above document represents a true excerpt from the memo about the 6th Commercial Committee meeting on 20 January 1938. Nuernberg, 3 April 1948.

signed: Rudolf Aschenauer

Defense Counsel

Excerpt from the memo about the 8th Commercial Committee meeting on Friday, the 11th March 1938, at 9.30 A.M., at Berlin No 7, Unter den Linden 82.

.....

2.) Co-operation with the Foreign Organisation(A.O.) of the NSDAP.

Discussion of various practical cases shows agreement, that central handling of all basic questions by Herr Waibel, the authorized representative of the Commercial Committee, represents the expedient solution. But it is resolved that, in case the interests of a specific branch are to be discussed, the necessary negotiations will be carried on with the Foreign Organisation of the NSDAP (A.O.) in conjunction with Herr Waibel and the respective responsible member of the Commercial Committee.

.....

I certify that the above document is a literal excerpt from the memo about the 8th Commercial Committee meeting on 11 March 1938.

Nuernberg, 5 April 1948.

signed: Rudolf Aschenauer

TRANSLATION OF SUPPLEMENT GATTINEAU
GATTINEAU-DOCUMENT No. 104

Excerpt from the transcript concerning the 30th meeting of the Commercial Committee (KA) on Wednesday, 13 March 1940, 9.30 a.m., in Berlin NW 7, Unter den Linden 78

.....

2.) M.-Question. (Mobilisation Question)

The M.-Question is discussed.

.....

I certify that the above document is a true excerpt from the transcript concerning the 30th meeting of the Commercial Committee on 13.3.1940.

Nuernberg, 3 April 1948

sgd. Rudolf ASCHENAUER

Defense Counsel.

TRANSLATION OF SUPPLEMENT 1 GATTINEAU
GATTINEAU-DOCUMENT No. 105

Excerpt from the transcript concerning the 36th meeting
of the Commercial Committee on Wednesday, 25 September
1940, 9.30 a.m., in Frankfurt/Main.

-
7.) South-Eastern Europe
a) Committee for South-Eastern Europe.

Referring to an exposé by Dr. BUHL, Dr. von
SCHNITZLER gives a detailed account of the origin of
the Committee for South - Eastern Europe; in the dis-
cussion to follow , general agreement is reached about
the fact that the Committee for South-Eastern Europe
has no deciding, but merely advisory functions and
is a department of the KA (Commercial Committee) a/o
the TEA (Technical Committee).

.....
I certify that the above document is a true excerpt
from the transcript concerning the 36th meeting of the
Commercial Committee on 25 September 1940.

Nuernberg, 3 April 1948

sgd. Rudolf ASCHENAUER
Defense Counsel.

AFFIDAVIT.

Having been informed that the following affidavit is meant to be submitted to the International Military Tribunal in Nuernberg, and having been warned that a culpably false affidavit entails penal consequences, I declare in lieu of an oath as follows:

Ad personam: STALLING, Johann Georg, of Auerbach/Vogtland, born on 26 March 1902 at Radeberg. From 31 April 1931 to 29 August 1944 a Party member of the NSDAP. From 1 August 1935 to 1 October 1944 a member of the General SS, in the end SS Hauptsturmfuehrer (honorary), at present in the Internment Camp 75, under No. B 12 385, at Kornwestheim.

Ad rem: After 30 January 1933 a tension developed in the relations between GOERING and ROEHM. I learned about this in an SA Leader meeting at Koenigstein/Saxony. This took place at the beginning of 1934, according to my memory it was in January or February. ROEHM had called together the highest SA Leaders of the SA Groups of (as far as I remember) Saxony, Thuringia, and Silesia. I was taken along by the then SA Obergruppenfuehrer v. KILLINGER who - as he told me later - wished to have a witness with him for this memorable meeting. Beforehand, I had no idea what it was all about. ROEHM, among other things, said the following: He would bring his influence to bear in favor of an understanding with all neighboring states. The SA was not

TRANSLATION OF SUPPLEMENT 1 GATTINEAU
GATTINEAU-DOCUMENT No. 106

(page - 2 - of original)

in the first place, to be regarded as an instrument of power, its task was rather to justify the confidence it had gained in the internal political struggle. It would betray a weakness, after having obtained power in the state, to believe that Germans could be governed by rubbertruncheons. The SA itself had experienced the resistance resulting from this, which caused it to emerge victoriously from the internal political struggle. ROEHM, at that time, said literally: Don't make any martyrs. He, furthermore, spoke about the SA's task in the commonwealth, as voluntary helpers. His ideas converged in the suggestion to create, if possible, a militia of volunteers, which however would have strictly to be kept separate from the Reichswehr. He emphasized furthermore that the Reichswehr ought not to be disintegrated. It had stood the test and proved reliable. The word given to the old man (meant was HINDENBURG) had to be kept. He (ROEHM) would never lend his hand to support the hunger for power of certain individuals. Thereby one would imperil the peace of Europe, the new state could not afford to indulge in experiments which would conjure up a new war: in this connection he declared, furthermore, that he shared LUDENDORFF's viewpoint in this regard. In addition, ROEHM openly opposed the alliance with Italian fascism and said: For Germany, the only thing is the orientation towards the West. He

TRANSLATION OF SUPPLEMENT 1 GATTINEAU
GATTINEAU-DOCUMENT No. 106

(page - 3 - of original)

stated that, unfortunately, GOEBBELS, too, had gone over to the other side; he depended in his conceptions upon the faithfulness of his SA, proved in the struggle. Friends of the SA had already become the victims of denunciation, but they would come back some day (meant was Gregor STRASSER). Von KILLINGER, due to his participation in this Koenigstein meeting, was arrested on 30 June 1934. Geuleiter MUTSCHMANN, at that time, also insisted on my arrest as an accessory.

Kornwestheim, 10 April 1946

Internment Camp 75

sgd.: Georg STALLING

Signature executed personally before
the Camp Administration:

Counsellor at Law

Certified true copy!

Nuernberg, 5 April 1948

sgd. Rudolf ASCHENAUER
Defense Counsellor.

Supplement I Gattineau

CERTIFICATE OF TRANSLATION

April 1948

I, Robert Hoffmann, 20162, hereby certify that I am a duly appointed translator for the German and English languages and that the above is a true and correct translation of the Supplement I Gattineau.

Robert Hoffmann
20162

-8a-
" E n d "

Case 6
Defense

SUPPLEMENT 2 - GATTINEAU

CASE VI
TRIBUNAL VI

ADDENDUM II
to the Document Books I - V
for
Dr. Heinrich Gattineau.

SUBMITTED BY
Rudolf ASCHENAUER
Defense Counsel



SUPPLEMENT 2 - GATTINEAU

Table of Contents
for the Addendum II to the Document Books
I - V
for Dr. G a t t i n e a u .

Doc. No.	Exh. No.	Description of Document	Page
107	185	Addendum to Doc. Book III Affidavit Richard B a c k e Witness confirms that in the Spring of 1932 several newspapers published articles against synthetic gasoline and its production and that editors were invited for discussions by the I.G.Farben. In this connection visits to Leuna were also organized in which representatives of the various political parties participated.	1
108	186	Excerpt from "The Fuehrer", the crusading paper for National Socialist Policy and German Culture in Baden, dated 21 January 1932: "The scandal of fuel prices." The article represents a further attack against the production of synthetic gasoline in 1932 by a recognized National Socialist Provincial paper.	3
109	187	Affidavit Wilhelm Neuhaus with 2 excerpts from the National Socialist daily for the industrial area of Rhineland-Westphalia "Rote Erde" of 10 February 1932 and 1 September 1932. Witness confirms the correctness of the two articles by the National Socialist press in 1932 which represent also attacks against the production of synthetic fuel.	5

C E R T I F I C A T I O N

I certify that all documents contained in this
Document Book are verbatim copies of the the
documents offered in court.

Nuernberg, 26 April 1948

sgd. Rudolf Aschenhuer

Defense Counsel for the defendant
G a t t i n e a u

Page 1 of original

A F F I D A V I T

I, Richard B a a c k e , born on 19 May 1885 at Stendal, residing at Berlin-Zehlendorf-West, having been duly warned that I make myself liable to punishment if I make a false affidavit declare under oath that my statement is true and was made in order to be introduced as evidence before Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

In the Spring of 1932, several newspapers published articles perhaps upon the instigation of various interested parties, against synthetic gasoline and its large-scale production. The I.F.Farben, thereupon, invited editors, in particular those in charge of the commerce section of the newspapers of various political tendencies, in order to enlighten them in discussions as to the aims which guided the I.G. Farben in the production of German gasoline. In the same connection invitations were sent out to representatives of the various political parties, with the exception of the communists, to tour Leuna in order to gain there, by way of detailed information, a clear picture of the situation. The representatives of the various parties accepted these invitations by sending their advisors on economic policy.

I have carefully read and signed in my own hand ~~this~~ affidavit consisting of one page.

I herewith declare under oath that the statements which I have made in this affidavit are true to the best of my knowledge and belief.

Nuernberg, 20 April 1948

sgd. Richard Baacke

SUPPLEMENT 2 - GATTINEAU
GATTINEAU - DOC! No. 107
Exhibit No. 185

Page 2 of original

I herewith certify that the foregoing signature of
Herr Richard B a c k e was affixed before me,
Rudolf Aschenauer, Defense Counsel for the
defendant Gattineau.

Nuernberg, 20 April 1948

sgd. Rudolf Aschenauer.

Excerpt from

"DER FÜHRER" (The Leader)

The crusading paper of Baden for National Socialist
policy and German culture

Karlsruhe,
Page 3:

Thursday, 21 January 1932

Fuel price scandal.

Do Government and big capital work hand in hand?/ Is
German motoring to be strangled completely?

For years German motoring has been handicapped by
too high fuel prices. While the leading associations
are carrying on an avid fight against the price-
boosting policy of the fuel industries association,
Government and big capital are uniting for a new and
crushing blow against German motoring. The very Go-
vernment Offices which up to now refused their support
when the consumers demanded that the fuel industries
association be eliminated, are now helping to promote
the establishment of a fuel monopoly. The creation of
a standard fuel in the long run means nothing more
than the introduction of a monopoly in general. For one
year German motoring has been threatened by the danger
of a fuel monopoly. Upon inquiry the Government Of-
fices declared time and again that they were not con-
sidering creating such an organization. Does the Reich
Ministry of Economy now intend to lead, its hand to
the introduction of the fuel monopoly in an indirect
way? The subsidies granted to big industry at the
expense of motoring when the new tariff scales were
introduced has not been forgotten yet. The protests
raised by the consumers were disregarded. Now one does
not even shrink from favoring certain branches of the
industry by creating a standard fuel which appears
less dangerous to the public

(page 2 of original)

and thus from bringing on dangers to German motoring which necessarily not only mean further choking it but annihilating it completely. The introduction of the standard fuel is tantamount to eliminating free competition and in practice necessarily results in a price dictatorship in the German fuel market unknown up to now. What a monopoly of this kind usually means to the consumers and to our national economy in general is most clearly shown by the situation in German distilling industry brought on by the brandy cartel. In the same manner as the brandy cartel, the fuel monopoly will subsidize a closely limited number of producers at the expense of the taxpaying public. Apparently the competent people are not working for the elimination of the trend of handing out presents, but for the promotion of this practice. The creation of a fuel monopoly, last but not least, also reduces the prospects for the introduction of a just motor vehicle tax which would at least partially remove the present lump tax.

The ADAC, being the largest German association of automobile owners, protests in the name of the German motorists, against such economic experiments. The general ADAC meeting to be held in Berlin on Sunday, 24 January 1932, will publicly protest against the plan of allowing a branch of economy as important as motoring to be destroyed by adopting an unparalleled subsidy policy.

I hereby certify that the above document is a verbatim excerpt from the periodical "Der Fahrer" of 21 January 1932.

Nuernberg, 26 April 1948

signed: Rudolf
ASCHMULLER

Wilhelm NEUHAUS

AFFIDAVIT.

I, Wilhelm NEUHAUS, born 18 July 1907, Protestant, business man, residing at Witten-Annen, having been duly warned that I make myself liable to punishment if I make a false affidavit, declare under oath that my statement is true and was made in order to be submitted as evidence before Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

Excerpt copy from the National Socialist daily paper for the Rhenish-Westphalian industrial district "Kette Erde" (Red Earth) No. 34 2nd year of 10 February 1932;

Copy from the National Socialist daily paper for the Rhenish-Westphalian industrial district "Kette Erde" No. 196, 2nd year of 1 September 1932.

I hereby declare under oath that the excerpts from the National Socialist daily paper for the Rhenish-Westphalian industrial district "Kette Erde" No. 34 2nd year of 10 February 1932 and No. 196 2nd year of 1 September 1932, made by me in this affidavit fully conform with the original before me....

Witten-Annen (Westphalia)

Anhang 15,
12 April 1948

signed: Wilhelm NEUHAUS

Document register No. 91 for 1948

The signature of Wilhelm NEUHAUS at Witten-Annen, Anhang 15, affixed before me, is hereby certified.

Witten, 14 April 1948

signed: Wilhelm NUFFNING

Notary

Seal:

Wilhelm NUFFNING
Notary at Witten/Ruhr

Supplement 2 GATTINEAU
Document No. 109
Exh. No. 187

(page 2 of original)

Costs:

Art. 154 of the Fees Regulation of 25 November 1935)

Value RM 2000.-

Fees per Art. 144, 26, 39

RM 3.-

Additional fee Art. 52, 53, 153

Registration fee Art. 108, 152

Postage Art. 135, 152

Turnover tax

RM 0.09

Total

RM 3.09

Notary: signed: NULMNING

Excerpt copy of the National Socialist Newspaper for the Industrial
Area of Rhineland-Westphalia, "Rote Erde", No. 34, 2nd year, of 10
February 1942:

Questionable "Methods of stimulating Industry".

The interest of the partners in a "Standard Type of Fuel".
.....Superseding the momentary confusion of various types
of fuel, a standard mixture is supposed to be produced consisting
of 70 % of monopoly alcohol and 10% of methyl alcohol. The attitude
of the press has been determined by the character of the interest
groups controlling the various press organs. Nobody will be surprised
that the "Vorwaerts" on this occasion advocated the standpoint of
foreign manufacturers in a temperamental way. To the unprejudiced
observer it is surprising that in view of a benzol ratio of 10% this
valuable fuel will be used to an extent equalling only half of the
production output of Germany proper, whereas at the same time the
less valuable methyl alcohol which can be used for fuel purposes only
under certain conditions, is comparatively more expensive and besides
being extremely toxic, is supposed to be used in the same ratio of
10%. The increase of the alcohol ration from 6 to 10% will involve a
certain increase of the cost of the fuel, which is to be used, and
would on the one hand relieve the German potato market and on the
other, through a reorganization of the alcohol monopoly, make it possible
for the Reich to discontinue the excessive subsidies in favor of the
domestic production of fuel. From an over-all point of view we entertain
the most serious doubts towards this fuel plan.

The elimination of half of the German benzol production would
constitute a unilateral favoring of the I.G. Farben at the cost of the
benzol-manufacturing industry and the entire group of consumers.

- 2 -

Judging the plan as a whole, the impression is left that this is not an operation in the interest of the German national economy, but the profiteer plan of an influential group of business interests. (!)

In view of this, from the point of view of national economy and considering the wave of protectionism prevailing throughout the world, liberal measures for encouraging domestic fuel production are necessary. The liberalistic argument that we are producing domestic fuel too "high" a cost is no longer convincing, because the means of our economy required to import even the most "inexpensive" foreign fuel are constantly dwindling as the result of the decrease of our export and the overcharging of our payment balance through interest and amortization payments. If it is impossible to buy the "cheap" foreign product, then we have no alternative other than producing at a "higher" cost to ourselves. Every fuel policy which intends to serve not profiteer interests but the German national economy, must under any circumstances aim at the full exploitation of the domestic production capacity. If this purpose has to be achieved through the creation of a monopoly, this would have to be ^{Government} controlled, since so much power cannot under any circumstances be surrendered to a group of private profiteers. A mixture which is technically incontestable and which would serve the purpose of utilizing the entire domestic production capacity, would have to be composed of approximately 70 % of gasoline, 20 % of benzol, and 10 % of monopoly alcohol.....

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SUPPLEMENT 2, GATTINEAU
Gattineau-Doc. No. 109
Gattineau-Exh. No. 187

- 3 -

The correctness of the foregoing copy certified:

(signed) Wilhelm Neuhaus

- 9 -

Copy from the National Socialist Newspaper for the Industrial Area of Rhineland-Westphalia "Rote Erde", No. 196, 2nd year, of 1 September 1932:

Price Raise in Gasoline opposed.

In spite of the fact that prominent industrial leaders have proved with irrefutable clearness that the increase and the development of motoring represent one of the most important means to relieve unemployment and to rehabilitate the economy, none of the former governments up to now have decided on a course of abolishing the antiquated and harmful tax system. One obvious sign is the accumulation of taxes imposed on motoring. And to this must be added the incomprehensible attitude of Reich authorities towards the price-dictating hegemony of the large gasoline firms.

The last meeting of the administrative council of the ADAC discussed its attitude towards these questions in detail and decided:

Measures to reduce the exorbitant liability premiums; demand that the new Autobahn Cologne-Bonn be opened also ^{to} motor-cycle traffic; further development of the social benefits of the ADAC.

Reduction of the gasoline payment;

Organizing an engineering consulting-service for members.

However, we have learned to consider resolutions still on paper with nothing more than a jaundiced eye.

The correctness of the foregoing copy certified:

(signed): Wilhelm Neuhaus

SUPPLEMENT 2, GATTINEAU

CERTIFICATE OF TRANSLATION

27 April 1948

We, Thyra Thyssen, Ludwig Heymann, and Leslie A. Lawton
hereby certify that we are duly appointed translators
for the German and English languages and that the above
is a true and correct translation of the SUPPLEMENT 2,
GATTINEAU.

Thyra Thyssen
c 00638

Ludwig Heymann Leslie A. Lawton
35096 B-397990

Case 6
Defense

Case VI
Tribunal VI

SUPPLEMENT III
to Document Books I - V

for

Dr. Heinrich Gattineau

submitted by

Rudolf Aschenauer

Defense Counsel

Tung



Table of Contents
of Supplement III for Document Books I - V
for Dr. G a t t i n e a u

Doc.No.	Exh. No.	Analysis of Document	Page
110	188	Supplement to document Book II: Affidavit Dr. Wolfram I s p o r t. The witness confirms that Dr. Gattineau belonged to the Bund Oberland, and that there was a party regulation in existence prohibiting party members to belong to other political and semi-military organizations. He confirms that Dr. Gattineau was not a member of the party before 1935.	1
111	189	Photostat of the card index of Party members of the NSDAP, concerning Dr. Gattineau, with confirmation. This document proves that Dr. Gattineau only joined the Party in 1935.	3
112	190	Affidavit Otto O h l e n d o r f: As opposed to Prosecution Affidavit NI-3763 of Dr. Anton Reithinger, the witness confirms that he did not become acquainted with Dr. Gattineau until 1946.	5

Doc.No.	Exh. No.	Analysis of Document	Page
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113	191	Affidavit Dr. Karl Meyer	6
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The witness confirms that the news of the beginning of hostilities against Russia came as a complete surprise to Dr. Gattinone.

C e r t i f i c a t e

I herewith certify that all documents contained in this Document Book are true verbatim copies of the documents submitted to the Tribunal.

Nuernberg, 5 April 1948

Rudolf Aschonaucr

Defense Counsel for the Defendant
Dr. G a t t i n e a u .

A f f i d a v i t

I, Dr. Wolfgang I s p e r t, born 18 February 1898, resident in Wuppertal-Elberfeld, Troppenstr. 6, having been cautioned that I render myself liable to punishment if I make a false statement, herewith declare under oath that my statement is true and was made to be submitted as evidence before Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I have known Dr. Heinrich Gattineau since about 1925. At that time he belonged to the Bund Oberland. There was a party regulation in existence then, which prohibited party members from joining other political and semi-military organizations. As far as I know this regulation was not rescinded, and Dr. Gattineau was not a member of the Party before 1935.

I have carefully read through and signed this affidavit consisting of one page and have made the necessary corrections and initialled them.

Document Gattineau No. 110

Gattineau Defonso Exhibit No. 1

I herewith declare under oath that the facts stated in this affidavit
are true to the best of my knowledge and belief.

Wuppertal-Elberfeld, 23 March 1948

(signed) Wolfgang Isbert

No. 70 of the Document List of 1948

I herewith certify the foregoing signature of Herr Dr. Wolfgang
Isbert, resident in Wuppertal-Elberfeld, Troppenstrasse 6.

Wuppertal-Elberfeld, 23 March 1948

(signed) Dr. Udo Beitzel

Notary.

Stamp:

Dr. Udo Beitzel

Notary Elberfeld.

Document Gattineau No. 111

Gattineau Defense Exhibit No. 189

C e r t i f i c a t e

I herewith certify that the enclosed document a photostat of the Party index of the NSDAP, concerning Heinrich Gattineau, was officially placed at my disposal by the Document Center Berlin, at my request.

Nuernberg, 3 May 1948

(signed) Rudolf Aschenauer

Gattineau Document No. 111

Gattineau Exhibit No. 189

Members No: 3669 206 First and Surname G a t t i n e a u
Heinrich

Date of birth: 6 January 1905 Place: Bucharest Address:

Profession: Prokurist married Local Group Gau

Admitted: 1 August 1935

Resigned: Address:

Readmitted: Local GroupGau:.....

Address: Berlin, Unter den Linden 78 Address:

Local Group: Berlin Gau: Berlin Local Group:Gau:

Address: Address:

Local Group:Gau: Local Group:Gau:

A f f i d a v i t

I, Otto Ohlendorf, at present in the Court House prison, having been cautioned that I render myself liable to punishment if I submit a false statement; herewith declare under oath that my affidavit to be submitted is true and was made/as evidence before the Military Tribunal No. VI in the Palace of Justice in Nuernberg, Germany.

With reference to the affidavit of Herr Reithinger, Doc. No. MI-3763, Exhibit No. 694, I wish to state, that the statements made by this witness, according to which Dr. Gattineau was in contact with me are incorrect. I only became acquainted with Dr. Gattineau in the prison in Nuernberg in 1946.

I have carefully read through and signed the foregoing affidavit consisting of half a page, and have made the necessary corrections and initialled them.

Nuernberg, 7 April 1948

(signed) Otto Ohlendorf

The foregoing signature of Herr Otto Ohlendorf given before and witnessed by me Rudolf Aschenauer, Defense Counsel with the American Military Tribunal in Nuernberg.

Nuernberg, 7 April 1948

(signed) Rudolf Aschenauer

Dr. Karl Meyer

A f f i d a v i t

I, Dr. Karl Meyer, chemist, born 14 January 1898, resident in Troisdorf, Bez. Cologne, after having been cautioned that I render myself liable to punishment if I submit a false statement; herewith declare under oath that my affidavit was made voluntarily and without coercion to be submitted before the Military Tribunal No. VI in Nuernberg:

I met Dr. Gattineau on the day German hostilities against Russia began. He was exhaust and depressed about the war which had broken out against Russia. The news came to him as a complete surprise, and in my presence he sharply criticized German statesmanship, in particular with regard to Hitler and Ribbentrop. In his opinion Germany, no longer stood a chance of bringing the war to a successful close under these circumstances.

I have carefully read through the foregoing statement and declare under oath that I have stated the whole truth in this affidavit to the best of my knowledge and belief.

Troisdorf, 8 March 1949
Kaiserstr. Arztbaracke

(signed) Dr. Karl Meyer

(Dr. Karl Meyer)

Document List No. 272 for 1948

I herewith certify the foregoing signature of Herr Dr. Karl Meyer, Chemist, resident in Troisdorf, Kaiserstr.

Stamp:

Dr. Max Hartmann
Notary in Siegburg

Siegburg, 9 March 1948

The Notary

(signed) Hartmann

Document Gattineau

C e r t i f i c a t e

6 May 1948

I, Flora, C. Gottschalk, Civ. No. 20094, hereby certify that I
am a duly appointed translator for the German and English languages
and that the above is a true and correct translation of the
Document Book Suppl. 3 Gattineau.

FLORA C. GOTTSCHALK
Civ. No. 20094

CASE NO. 6 - TRIBUNAL VI

DEFENSE

GATTINEAU

Document Book No. 6 a
not distributed

(See letter inside)

English



OFFICE OF MILITARY GOVERNMENT (US)
SECRETARIAT FOR MILITARY TRIBUNALS
NUERNBERG, GERMANY
APO 896-A, US ARMY

DEFENSE CENTER

13 August 1948

SUBJECT: Missing Defense Documents, Case 6

TO : Court Archives, Military Tribunals
Room 270

The following Defense Documents are not available for the reason shown below:

1. Opening Statements were made in German only and translated in Court. No English copies were distributed. The defendant Kuehne did not submit an Opening Statement to the Defense Center.

2. Ambros Document Book 2 a. Defense Counsel states that he does not have any German copies and there are none on file in the Defense Center Document Room.

3. The following Document Books were submitted in English only:

Gattineau Document Book 6 b
Krauch Supplement 1 & 4
Kugler Supplement to Document Book 1

4. Gattineau Document Book 6 a was submitted in German and English direct to the Court by the Defense Counsel. Defense Counsel stated that he did not have any complete copies of the German books left but two incomplete copies were given to me and are attached.

5. Krauch Document No. 108 was introduced as Supplement 3. Two German copies are attached.

6. Oster Addendum II Document No. 50 is a French Document and it is not available in German. Two French copies are attached.

/s/ Lowell O. Rice
LOWELL O. RICE
Captain, Infantry
Executive Officer

Certified true copy.

Barbara Skinner Mandellaub
Barbara Skinner Mandellaub
Chief of Archives



Case 6
Defense

Tribunal VI

CASE 6

Document Book 6 b

for

Dr. Heinrich Gattineau

presented by:

Rudolf Aschenauer

Defense Counsel

Long



Inhaltsverzeichnis des

Dokumentenbuches Nr.

fuer Dr. Gattineau

Dok. Nr.:	Exh. Nr.:	Beschreibung des Dokumentes	Seite
315		Memorandum by the State Secretary in the German Foreign Office, April 17, 1939	1
		Memorandum des Staatssekretärs im deutschen Auswaertigen Amt vom 17. April 1939	
		Soviet Ambassador suggests the possibility of improved Soviet- German relations	
		Der Sowjetbotschafter verweist auf die Moeglichkeit verbesser- ter Beziehungen zwischen der Sowjetunion und Deutsch-land	
316		Foreign office Memorandum, May 5, 1939	3
		Memorandum des Auswaertigen Amtes. vom 5. Mai 1939	
		Soviet Charge, Astakhov, tries to learn whether the dismissal of Lit- vinov will change the German posi- tion toward Soviet Union	
		Der Sowjetgeschaefststraeger Astakhov versucht in Erfahrung zu bringen, ob die Entlassung von Litvinov die Hal- tung Deutschlands zur Sowjetunion aendern wird.	
317		Foreign Office Memorandum, May 17, 1939	4
		Memorandum des Auswaertigen Amtes vom 17. Mai 1939	
		Astakhov says there is no reason for enmity between Germany and Soviet Russia; mentions Rapallo Treaty	
		Astakhov erklaert, es bestehe kein Grund zur Feindschaft zwischen Deutschland und Sowjetrussland; er erwaehnt den Rapallo-Vertrag	

Dok. Nr.:	Exh. Nr.	Beschreibung des Dokumentes	Seite
318		Memorandum by the German Ambassador in the Soviet Union, Schulenburg, May 20, 1939 Memorandum des deutschen Botschafters in Moskau, Schulenburg, vom 20. Mai 1939 Molotov says the construction of "political bases" must precede new economic negotiations; both governments would have to think about it Molotov erklart, die Errichtung "politischer Grundlagen" muesse neuen Wirtschaftsverhandlungen vorausgehen; beide Regierungen sollten darueber nachdenken	6
319		The State Secretary to Ambassador Schulenburg, May 21, 1939 Der Staatssekretaer an Botschafter Schulenburg vom 21. Mai 1939 Germany must wait to see if the Russians will speak more openly Deutschland muss abwarten, ob die Russen offener reden	8
320		Ambassador Schulenburg to the State Secretary, May 22, 1939 Botschafter Schulenburg an den Staatssekretaer vom 22. Mai 1939 Germany must be extremely cautious Deutschland muss sich ausserordentlich vorsichtig verhalten	9
321		The Secretary of State to Ambassador Schulenburg, May 27, 1939 Der Staatssekretaer an Botschafter Schulenburg vom 27. Mai 1939 An open statement in Moscow, instead of being beneficial, might have unfavourable effects; is sceptical about preventing English-Russian combination Eine offene Erklaerung in Moskau koennte, anstatt guenstig zu wirken, nachteilige Wirkungen haben; er ist skeptisch hinsichtlich der Verhinderung der englisch-russ. Kombination	10

Dok. Nr.;	Fzh. Nr.:	Beschreibung des Dokumentes	Seite
322		Foreign Office Memorandum, May 29, 1939	11
		Memorandum des Auswaertigen Amtes vom 29. Mai 1939	
		It is very doubtful whether at the moment talks with Soviet Russia promise success	
		Es ist sehr zweifelhaft, ob im Augenblick Gespraechе mit Sow- jetrussland Erfolg versprechen	
323		Memorandum by the State Secretary May 30, 1939	12
		Memorandum des Staatssekretaers vom 30. Mai 1939	
		Astakhov states that the ideolo- gical barrier between Moscow and Berlin was erected by Germany, and that Germany had be- fore her treaty with Poland reject- ed a Russian offer of alliance	
		Astakhov stellt fest, dass die ideo- logische Barriere zwischen Moskau und Berlin durch Deutschland errich- tet worden sei und dass Deutschland ein russisches Bueandnisangebot abge- lehnt habe, bevor es seinen Vortrag mit Polen schloss	
324		Ambassador Schulenburg to the State Secretary, June 5, 1939	16
		Botschafter Schulenburg an den Staats- sekretaer am 5. Juni 1939	
		Contents that Molotov on May 20 had almost invited political discussions	
		Macht geltend, dass Molotow am 20. Mai zu politischen Diskussionen fast eingeladen habe	
325		Foreign Office memorandum, June 15, 1939	17
		Memorandum des Auswaertigen Amtes, vom 15. Juni 1939	
		Astakhov spoke to Bulgarian mi- nister: if Germany would conclude a nonaggression pact with the Soviet Union she probably would refrain from concluding a treaty with England	

Dok. Nr.:	Wzh. Nr.:	Beschreibung des Dokumentes	Seite
325		Astakhov sprach mit dem bulgarischen Gesandten: wenn Deutschland einen Nichtangriffspakt mit der Sowjetunion abschliesse, würde diese wahrscheinlich vom Abschluss eines Vertrages mit England Abstand nehmen	
326		The German Charge in Moscow to the Foreign Office, June 18, 1939 Der deutsche Geschäftsträger in Moskau an das Auswärtige Amt vom 18. Juni 1939 Commissar for Foreign Trade Mikoyan is anxious not to lose contact Aussenhandelskommissar Mikoyan ist bestrebt, nicht den Kontakt zu verlieren	19
327		Ambassador Schulenburg to the Foreign Office, June 29, 1939 Botschafter Schulenburg an das Auswärtige Amt vom 29. Juni 1939 Molotov shows interest in German political views and in maintaining contact Molotov zeigt an den deutschen politischen Auffassungen und an der Aufrechterhaltung des Kontakts Interesse	20
328		Foreign Office Memorandum, Juli 27, 1939 Memorandum des Auswärtigen Amtes vom 27. Juli 1939 Astakhov designates rapprochement with Germany as corresponding with the vital interests of both countries; the tempo, however, must probably be very slow and gradual Astakhov bezeichnet Annäherung an Deutschland als den vitalen Interessen beider Länder entsprechend; das Tempo müsse jedoch wahrscheinlich sehr langsam und schrittweise sein	22
329		The Foreign Office to Ambassador Schulenburg, July 29, 1939	24

dok. Nr.:	Exh. Nr.:	Bezeichnung des dokumentes	Seite
329		Das Auswaertige Amt an Botschafter Schulenburg vom 29. Juli 1939 Astakhov hints at the possibility of discussions between prominent representatives of Germany and Soviet Russia Astakhov deutet die Moeglichkeit von Diskussionen zwischen einem prominenten Vertreter Deutsch- lands und Sowjetrusslands an	
330		Ribbentrop to Ambassador Schulenburg, August 3, 1939 Ribbentrop an Botschafter Schulenburg vom 3. August 1939 Told Astakhov: if Moscow took a positive attitude there was no problem from the Baltic to the Black Sea that could not be solved between the two countries Erklaerte Astakhov: wenn Moskau eine positive Haltung einnimmt, gebe es von der Ostsee bis zum Schwarzen Meer kein Problem, das nicht zwischen beiden Laendern zu loesen sei	25
331		Ambassador Schulenburg to the Foreign Office, August 4, 1939 Botschafter Schulenburg an das Auswaertige Amt vom 4. Aug. 1939 Molotov abandons his usual re- serve and shows evident interest in the Polish question Molotov geht aus seiner gewoehn- lichen Reserve heraus und zeigt augenscheinliches Interesse an der polnischen Frage	27
332		Ambassador Schulenburg to Counselor of Legation Schliep, Aug. 7, 1939 Botschafter Schulenburg an Lega- tionsrat Schliep vom 7. Aug. 1939 Opinion, that the Soviets no lon- ger want German guarantees to be given to the Baltic states Meinung, dass die Sowjets nicht laenger wuenschen, dass Deutsch- land den baltischen Staaten Ga- rantien gibt	29

Dok. Nr.:	Exh. Nr.:	Bezeichnung des Dokumentes	Seite
333		Foreign Office Memorandum, August 10, 1939	30
		Memorandum des Auswaertigen Amtes vom 10. August 1939	
		Astakhov says the negotiations with Britain were begun by the Soviets without enthusiasm; seeks to learn what Germany's aims in respect to Poland are	
		Astakhov erklart, Sowjetruss- land habe die Verhandlungen mit England ohne Begeisterung begonnen; sucht zu erfahren, welches die deutschen Ziele gegenueber Polen sind	
334		Ambassador Schulenburg to the State Secretary, August 14, 1939	33
		Botschafter Schulenburg an den Staatssekretaer vom 14. Aug. 1939	
		Molotov commented it would depend on Germany itself that no solu- tion in the Polish matter be forced on the Reich	
		Molotov kommentierte, es wuerde von Deutschland selbst abhaengen, dass ihm in der polnischen Frage keine Loesung aufgezwungen werde	
335		The Foreign Office to Ambassador Schulenburg, August 14, 1939	34
		Das Auswaertige Amt an Botschafter Schulenburg vom 14. August 1939	
		Astakhov owing to his instructions suggests the discussion of politi- cal questions (including the Polish question) to be undertaken only by degrees	
		Astakhov regt gemaess seinen In- struktionen an, dass die Diskussion politischer Fragen (einschliesslich der polnischen Frage) nur schritt- weise erfolge	
336		Ribbentrop to Ambassador Schulen- burg, August 14, 1939	35
		Ribbentrop an Botschafter Schulen- burg vom 14. August 1939	
		Schulenburg to tell Molotov that, since war may come soon, immediate clarification of relations is de- sirable; that Ribbentrop is prepared to come to Moscow for negotiations	

Dok. Nr.:	Exh. Nr.:	Bezeichnung des Dokumentes	Seite
336		Schulenburg soll Molotov mitteilen, dass sofortige Klärung der Beziehungen erwünscht sei, da Krieg bald ausbrechen könne, und dass Ribbentrop bereit sei, zu Verhandlungen nach Moskau zu kommen	
337		Ambassador Schulenburg to the Foreign Office, August 16, 1939 Botschafter Schulenburg an das Auswärtige Amt vom 16. Aug. 1939 Molotov wishes adequate preparation of Ribbentrop's visit and inquires about German views on a nonaggression pact and on territorial questions Molotow wünscht angemessene Vorbereitung des Ribbentrop-Besuches und erkundigt sich nach den deutschen Ansichten ueber einen Nichtangriffspakt und ueber territoriale Fragen	37
338		Memorandum by Ambassador Schulenburg, August 16, 1939 Memorandum des Botschafters Schulenburg vom 16. August 1939 Molotow has the opinion that haste was desirable, so that the march of events would not confront us with accomplished facts Molotow ist der Meinung, dass Eile geboten sei, damit der Lauf der Dinge uns nicht vor vollendete Tatsachen stellt	39
339		Ambassador Schulenburg to the State Secretary, August 16, 1939 Botschafter Schulenburg an den Staatssekretär vom 16. Aug. 1939 Molotow did not clearly express what he desires in the matter of the Baltic states Molotow drueckte sich nicht klar aus, was fuer Wünsche er hinsichtlich der baltischen Staaten hat	41
340		Ribbentrop to Ambassador Schulenburg, August 16, 1939 Ribbentrop an Botschafter Schulenburg vom 16. August 1939	42

Dok. Nr.:	Exh. Nr.	Bezeichnung des Dokumentes	Seite
340		Stresses the need for haste; ready to come to Moscow at any time after August 18 with full powers from Hitler Betont die Notwendigkeit fuer Eile; ist bereit, jederzeit nach dem 18. August mit Vollmachten von Hitler nach Moskau zu kommen	
341		Ambassador Schulenburg to the Foreign Office, August 18, 1939 Botschafter Schulenburg an das Auswaertige Amt vom 18. Aug. 1939 Molotov lays stress on the conclusion of a protocol in which, among other things, the German statements of August 15 would be included; Schulenburg desires more exact information about the Russian wishes with regard to the protocol Molotov befuerwortet stark den Abschluss eines Protokolls, das neben anderen Dingen die deutschen Feststellungen vom 15. August enthaelt; Schulenburg erbittet genauere Auskuenfte ueber die russischen Wuennsche hinsichtlich des Protokolls	44
342		Ribbentrop to Ambassador Schulenburg, August 18, 1939 Ribbentrop an Botschafter Schulenburg vom 18. August 1939 Urges speed since hostilities may begin any day; states that Ribbentrop will be empowered to sign a protocol defining spheres of interest Draengt auf Beschleunigung, da die Feindseligkeiten jeden Tag ausbrechen koennen; stellt fest, dass Ribbentrop ermaechtigt sein wird, ein Protokoll zu unterzeichnen, das Interessensphaeren festlegt	45
343		Ambassador Schulenburg to the Foreign Office, August 19, 1939 Botschafter Schulenburg an das Auswaertige Amt vom 19. Aug. 1939 Molotov agrees to Ribbentrop's visit on August 26 or 27 Molotow stimmt Ribbentrop's Besuch am 26. oder 27. August zu	48

Dok. Nr.:	Bibl. Nr.:	Bezeichnung des Dokumentes	Seite
344		<p>Ambassador Schulenburg to the Foreign Office, August 19, 1939</p> <p>Botschafter Schulenburg an das Auswaertige Amt vom 19. AUG. 1939</p> <p>Molotov expects German specifications on protocol</p> <p>Molotow erwartet deutscherseits naechere Einzelheiten ueber das Protokoll</p>	49
345		<p>Ribbentrop to Ambassador Schulenburg, August 20, 1939</p> <p>Ribbentrop an Schulenburg vom 20. August 1939</p> <p>Hitler's message to Stalin emphasizes necessity for haste</p> <p>Botschaft Hitlers an Stalin betont Noetwendigkeit fuer Eile</p>	50
346		<p>Ambassador Schulenburg to the Foreign Office, August 21, 1939</p> <p>Botschafter Schulenburg an das Auswaertige Amt vom 21. AUG. 1939</p> <p>Stalin agrees to the arrival of Ribbentrop on August 23</p> <p>Stalin ist mit Ribbentrops Ankunft am 23. August einverstanden</p>	52
347		<p>Ribbentrop to the Foreign Office, August 23, 1939</p> <p>Ribbentrop an das Auswaertige Amt vom 23. August 1939</p> <p>Russians demand recognition of Libau and Windau as within their sphere of influence</p> <p>Russen verlangen Anerkennung, dass Libau und Windau in ihre Einfluss-sphaere fallen</p>	53
348		<p>Secret Additional Protocol, August 23, 1939</p> <p>Geheimes Zusatzprotokoll von 23. August 1939</p> <p>Recognition of Finland, Estonia and Latvia as well as the eastern part of Poland as Russian sphere of influence in the event of a territorial and political rearrangement of these areas</p>	54

Dokl Nr.:	Txh: Nr.:	Bezeichnung des Dokumentes	Seite
348		Anerkennung von Finnland, Estland und Lettland wie auch des oestlichen Teils Polens als russische Einflussphaere fuer den Fall einer territorialen und politischen Neuordnung in diesen Gebieten	55
349		Extract from " The Great Globe itself " by William C. Bullitt Auszug aus "The Great Globe Itself " von William C; Bullitt Violations by the Soviet Government of international treaties, agreements, and assurances. Verletzungen internationaler Vertraege, Abkommen und Zusicherungen durch die Sowjetregierung.	56
350		Experts from "Problems of Leninism " by Stalin. Auszuere aus "Problems of Leninism" von Stalin. On the development and the support of the proletarian revolution in other countries. Ueber die Entwicklung und Unterstuetzung der proletarischen Revolution in anderen Laendern.	69
351		From: James F. Byrnes: Speaking Frankly, Seite 291, 292 Aus James F. Byrnes: Speaking Frankly, Seite 291, 292. In June, 1941, the Russians had concentrated troops at the border. Im Juni 1941 hatten die Russen an der Grenze Truppen konzentriert.	75

A f f i r m a t i o n

I certify that all documents contained
in this document book correspond
literally with the documents
presented to the Tribunal.

Nuernberg, April 6, 1948

Rudolf Aschenauer
Defense Counsel for the defendant
Gattineau

Page 1:

Memorandum by the State Secretary in the German Foreign
Office (Weiszaecker)

St.S. Nr. 339

Berlin, April 17, 1939

The Russian Ambassador visited me today - for the first
time since he took up his post here - for a conversation
on practical matters.

.....

Yerr Yerekalov seized on these words to take up political
matters. He inquired as to the opinion here regarding the
present situation in Central Europe. When I told him that
as far as I knew Germany was the only country not partici-
pating in the present saber-rattling in Europe, he asked
me about our relations with Poland and about the alleged
military clashes on the German-Polish frontier. After I
had denied the latter and made some rather restrained com-
ments on German-Polish relations, the Russian asked me
frankly (unvorbluent) what I thought of German-Russian
relations.

page 2:

.....

The Ambassador thereupon stated approximately as follows:
Russian policy had always moved in a straight line. Ideo-
logical differences of opinion had hardly influenced the
Russian-Italian relationship, and they did not have to
prove a stumbling block with regard to Germany either.
Soviet Russia had not exploited the present friction be-
tween Germany and the Western democracies against us, nor

did she desire to do so. There exists for Russia no reason why she should not live with us on a normal footing. And from normal, the relations might become better and better.

With this remark, to which the Russian had let the conversation Herr Merelalov ended the interview. He intends to go to Moscow in the next few days for a visit.

Weizsaecker

I certify that ^{this} is a literal and correct extract from "Gazi-Soviet Relations 1939-1941", The Department of State 1948.

Buenberg, 16th of March, 1948

(Rudolf [unclear])

Consul General

Page 3:

Frame 211 496, serial 388

Foreign Office Memorandum

TO W IV 1493

.....
Then Astakhov touched upon the dismissal of Litvinov and tried without asking direct questions to learn whether this event would cause a change in our position toward the Soviet Union. He stressed very much the great importance of the personality of Molotov, who was by no means a specialist in foreign policy, but who would have all the greater importance for the future Soviet foreign policy.

Schnurre

Berlin, May 5, 1939.

I certify that ^{this} is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Muenberg, 18th of March, 1948

(Rudolf Aschenauer)
Defense Counsel

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Page 4:

Frames 211505, serial 388

Foreign Office Memorandum

To W IV 1870/39

M e m o r a n d u m

.....
Page 5:

.....
During the subsequent conversation Astakhov again referred in great detail to the development of German-Soviet relations, as he had already done two weeks ago. He remarked that the German press for some weeks looked entirely different. The attacks hitherto directed against the Soviet Union were missing, reports were objective; in an industrial newspaper of the Rhineland he had even seen some photographs of Soviet installations. Of course, the Soviets could not judge whether this was only a temporary break that was used for tactical reasons. However, it was hoped that a permanent state of affairs would result from it. Astakhov stated in detail that there were no conflicts in foreign policy between Germany and Soviet Russia, and that therefore there were no reason for any enmity between the two countries. It was true that in the Soviet Union there was a distinct feeling of being menaced by Germany. It would un-

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doubtedly be possible to eliminate this feeling of being menaced and the distrust in Moscow. During this conversation, he also again mentioned the Treaty of Rapallo. In reply to my incidental question, he commented on the Anglo-Soviet negotiations to the effect that under the present circumstances the result desired by England would hardly be achieved. To substantiate his opinion concerning the possibility of a change in German-Soviet relations, Astakhov repeatedly referred to Italy and stressed that the Duce, even after the creation of the Axis, had implied that there were no obstacles to a normal development of the political and economic relations between the Soviet Union and Italy.

.....

Schnurre

Berlin, May 17, 1934.

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State is
Muenberg, 18th of March, 1948

(Rudolf Aschenauer)

Defense Counsel

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Page 5:

Frames 111353-111355, serial 103

Memorandum by the German Ambassador in the Soviet-Union

(Schulenburg)

Tgb. Nr. A/1023

Moscow, May 20, 1939.

.....

Page 6:

.....

Herr Molotov replied that the course of our last economic negotiations had given the Soviet Government the impression that we had not been in earnest in the matter and we had only played at negotiating for political reasons. At first it had been reported that a German delegation was coming for economic negotiations to Moscow (I suggested that this report did not emanate from us but from the Polish and French press), and later it was to the effect that Herr Schnurre was coming alone.

Herr Schnurre did not come, but Herr Hilger and I had conducted the negotiations and then these negotiations also had faded out. The Soviet Government could only agree to a resumption of the negotiations if the necessary "political bases" for them had been constructed (wenn hierfuer die notwendige "politische Grundlage" geschaffen sein werde).

.....

I asked Herr Molotov what he meant by the construction of political bases. I had had the impression that the German-Soviet

atmosphere had improved during the last year or so, and I was astonished that economic negotiations should now be impossible while previously negotiations of the same sort had repeatedly taken place under more

Page 7

unfavorable conditions and had been brought to a conclusion. Herr Molotov then declared that the way in which better political bases could be built was something that both Governments would have to think about. All of my determined efforts to bring Herr Molotov to make his wishes more definite and more concrete were in vain. Herr Molotov had apparently determined to say just so much and not a word more. He is known for this somewhat stubborn manner. I thereupon concluded the conversation and stated that I would inform my Government. Herr Molotov then bade me farewell in a very friendly fashion.

.....

Count von der Schulenburg

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Muenberg, 18th of March, 1948

(Rudolf Schenauer)

Defense Counsel

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Page 7:

Frame 111328, serial 103

The State Secretary in the German Foreign Office (Weizsaecker) to the German Ambassador in the Soviet Union
(Schulenburg)

T e l e g r a m

No. 94

Berlin, May 21, 1939.

Reference your telegram 73. For Ambassador personally.
On basis of results so far as your discussions with Molotov,
we must now sit tight (ganz stillzuhalten) and wait to see
if the Russians will speak more openly.

.....

Weizsaecker

I certify that this is a literal and correct extract from
"Nazi-Soviet Relations 1939-1941", The Department of State
1948.

Munernberg, 18th of March 1948

(Rudolf Schoenauer)

Defense Counsel

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Page 8:

Frames 111346-111347, serial 103

The German Ambassador in the Soviet Union (Schulenburg)
to the State Secretary in the German Foreign Office
(Weizsaecker)

Tgb.Mr. A/1023

Moscow, May 22, 1939.

..... We must ^{be} extremely cautious in this field as
long as it is not certain that possible proposals from
our side will not be used by the Kremlin only to exert
pressure on England and France.

Schulenburg

I certify that this is a literal and correct extract from
"Razi-Soviet Relations 1939-1941", The Department of State
1948.

Muenberg, 18th of March, 1948

(Rudolf Aschenauer)

Defense Counsel

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Page 9:

Frames 17836-17837, serial 276

The State Secretary in the German Foreign Office (Weizsaecker) to the German Ambassador in the Soviet Union

(Schulenburg)

Berlin, May 27, 1939.

..... We are of the opinion here that the English-Russian combination certainly will not be easy to prevent. However, there may even today be a rather wide field of negotiation into which we may be able to inject ourselves with an impeding and disturbing effect by use of a more unmistakable sort of language. The possibility of success is considered here to be quite limited, so that one must weigh whether a very open statement in Moscow, instead of being beneficial, might not rather be harmful and perhaps produce a peal of Tartar laughter.

Weizsaecker

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Muenberg, 18th of March, 1948

715-
(Rudolf Schenauer)

Defense Counsel

Defense Document 322
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Page 10:

Frames 111372-111374, serial 103

Foreign Office Memorandum

May 29, 1939.

1. We are faced with the fact that our Ambassador in Moscow had a talk with Herr Molotov about the resumption of German-Soviet commercial negotiations and that on this occasion Herr Molotov made them subject to the clarification of political relations between Germany and Soviet Russia.

4. It is admittedly very doubtful whether the state of affairs in Europe just at the moment promises success from such talks, since the Soviet Government is engaged in negotiations with England, which indicate that Moscow is more or less determined to enter actively

Page 11:

into the English policy of encirclement.

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Muenber, 19th of March, 1948

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(Rudolf Schenauer)

Defense Counsel

Defense Document 325
D e f e n s e - D o c u m e n t

Page 12 ff.

Frames 111362-111367, serial 103

Memorandum by the State Secretary in the German Foreign
Office (Weizsaecker)

Strictly secret

Berlin, May 30, 1936

St. 3. Nr. 455

.....

In accordance with instructions I then went on to state that it would not be easy for us to give our consent to the retention of the trade mission in Prague, because we, i.e., Ambassador Count Schulenburg, had recently received from Herr Molotov a not very encouraging reply in the matter of our economic relations. The Charge indicated that he was informed of the contents of the talk, and pending more detailed instructions interpreted it to the effect that in Moscow they wanted to avoid a repetition of what happened last January, i.e., they did not want to make preparations again for the trip of a German trade negotiator to Moscow only to receive a cancellation at the last moment, amidst the ridicule of the foreign press. Actually, Herr Molotov had stated that politics and economy could not be entirely separated in our relations; a certain connection between the two did actually exist. Apparently Potemkin in his communication to the Charge here expressed the matter this way; that the contemplated trade negotia-

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tions could not be treated lightly.

After we had exchanged a few more words to clarify the incident of last January, I told the Charge that I agreed with him that economics and politics could not be entirely separated from each other. It was for this very reason that I was having the conversation with him, because the British efforts to draw Russia into her sphere - efforts of which we were informed - indicated a political orientation in Moscow of which we would have to take account, even in considering less important problems, such as the Soviet Russian trade mission in Prague. I returned therefore to the question raised at the beginning of our conversation - namely, what length of time the Soviet Government would propose for the business of its trade mission in Prague.

The Charge concluded from this part of the conversation that he would have to inquire again in Moscow as to what intentions they actually had for the trade mission in Prague and, furthermore, what Foreign Commissar Molotov actually meant to tell Count Schulenburg. The Charge was willing to say on his own account that Herr Molotov had, to be sure, talked with the customary Russian distrust, but not with the intention of barring further German-Russian discussions.

After the discussion had reached this point I reminded the Charge of certain conversations which he himself had conducted in the office and above all of the statements of his Ambassador, now absent from Berlin, who told in the middle of April of the possibility of a normalization and even further improvement of German-Russian political relations. From this point the conversation proceeded spontaneously and I changed over to a purely conversational tone and put aside paper and pencil.

I here reminded the Charge of the remarks of his Ambassador about the more reserved language of the press on both sides in the last few months. I mentioned that to my knowledge the topic of Soviet Russia had receded into the background in official German speeches of recent months - which the Charge confirmed but held that it could be interpreted in different ways. Finally I told the Charge that the development of our relations with Poland, which was known to him, had actually made our hitherto restricted policy in the East freer.

After some concurring remarks by the Charge, I told him that I personally thought the German position toward Soviet Russia was as follows: Germany was not narrow-minded, but she was not officious either. Among our German political merchandise, however, one item did not exist, namely a special liking for Communism. We had dealt with Communists in short order and we would continue to do so; moreover, we did not expect any spe-

cial liking for rational Socialism in Moscow either. At this point the Charge interrupted with explanations as to how Russian relations with Italy and particularly Turkey, as well as other countries, Communism was not favored at all. He strongly emphasized the possibility of a very clear distinction between maxims of domestic policy on the one hand and orientation of foreign policy on the other hand.

I then continued with my figure of speech and stated that among our political merchandise there was also a pretty good selection for Russia, ranging from normalization of our relations such as the Russian Ambassador had suggested to me, to unrelenting hostility. Normalization was indeed obstructed by a lot of rubble and I was convinced that many people would even like to pile it higher. The Charge probably knew that Werr Beck, the Polish Foreign Minister, was also not entirely without his share in this. One could conduct interesting talks with Werr Beck, but he appeared to me to have become a little old, because he sometimes suffered from a regrettable weakness of memory. Thus, for instance, Beck's interpretation of the German policy toward the Ukraine was refuted by the German conduct in the case of the Carpathian Ukraine. However, I did not want to go into these things in detail; I thought that Germany had proved that she could cope with Communism at home; nor did she have any fear in foreign policy. I did not know whether there still was any room at all for a possible gradual normalization of relations between Soviet Russia and Germany, now that Moscow had perhaps already listened to the enticements of London. At any rate, however, since the Charge and his Ambassador had talked so frankly in the Foreign Ministry I would like to spare myself the reproach that we on our part had held back and had concealed our position. We did not ask anything from Moscow, we did not desire anything from Moscow, but neither did we want to be told by Moscow at a later date that we had erected between us an impenetrable wall of silence.

The Charge, who had followed the talk attentively and had contributed to it a number of remarks not mentioned here, stated in conclusion that the ideological barrier between Moscow and Berlin was in reality erected by us. Before our treaty with Poland we had rejected a Russian offer of alliance and until recently there had been little comprehension here of the Russian thesis that foreign and domestic policy did not have to interfere with each other. He believed that his Government had not wavered in this viewpoint and was still faithful to it today. In conclusion the Charge stated that he would report home about our talk, the second part of which he designated, for his part, as private, and he would request instructions from his Government as to what

x could be normal or even good, although in these countries

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its real aims were concerning the trade mission in Prague, as well as whether he, the charge, had correctly interpreted the Molotov talk as in no way negative (keineswegs zurückweisend).

I did not, of course, ask the charge about the state of the Anglo-Russian negotiations; nor did he mention anything about them. However, it can not be contested that in his remarks today about our political relations he used basically the same language as hitherto and as his Ambassador did in the middle of last April. The Molotov-Schulenburg episode appears to me, therefore, to have been the product of sensitivity and distrust rather than a premeditated rejection.

Weizsäcker

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Munich, 22nd of March, 1948.

(Rudolf Aschenauer)

Defense Counsel

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Defense Document 324
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Page 18:

Frames 111398-111401, Serial 103

The German Ambassador in the Soviet Union (Schulenburg) to
the State Secretary in the German Foreign Office

(Weiszaecker)

Moscow, June 5, 1939.

.....

It appears to me that they have gained the impression in
Berlin that Herr Molotov had rejected a German-Soviet arrange-
ment during the discussion with me. I have read through
my telegram once

Page 19:

again and compared it with my letter to you and my memoran-
dum. I cannot discover what has given rise to this opinion
in Berlin. In reality, the fact is that Herr Molotov almost
invited political discussions. Our proposal of conducting
only economic negotiations appeared insufficient to him.
Of course, there was and is the danger that the Soviet GO-
vernment will utilize German proposals for pressure on the
English and French. Herr Molotov in his speech at once uti-
lized tactically our offer to begin economic negotiations.
Caution on our part was and is therefore necessary, but it
appears clear to me that no door has been shut and that the
way is open for further negotiations.

Schulenburg.

I certify that this is a literal and correct extract from
Nazi-Soviet Relations 1939-1941, The Department of State
1948

Muenberg, 22nd of March 1948.

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Defense Document 325
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Page 20:

Frames 178376-178378, serial 276

Foreign Office Memorandum

Berlin, June 15, 1939.

The Bulgarian Minister called on me today and told me confidentially the following: The Soviet Russian Charge, ~~whom~~ whom he had no intimate relations, called on him yesterday without any apparent reason and stayed with him two hours. The long conversation, of which it could not be ascertained whether it had reflected the personal opinions of Herr Astalhov or the opinions of the Soviet government, could be summarized approximately as follows:

The Soviet Union faced the present world situation with hesitation.

page 21:

She was vacillating between three possibilities, namely the conclusion of the pact with England and France, a further dilatory treatment of the pact negotiations, and a ~~r a p~~ ~~p r o c h e m e n t~~ approach with Germany. This last possibility, with which ideological considerations would not have to become involved, was closest to the desires of the Soviet Union. In addition, there were other points, for instance that the Soviet Union did not recognize the Rumanian possession of Bessarabia. The fear of a German attack, however, either via the Baltic countries or via Rumania was an obstacle. In this connection the Charge had also referred to Mein Kampf. If Germany would declare that she would not attack the Soviet Union or that she would conclude a nonaggression pact with her, the Soviet Union would probably refrain from concluding a treaty with England. However, the Soviet Union did not know what Germany really wanted, aside from certain very vague allusions. Several circumstances also spoke for the second possibility, namely to continue to conduct the pact negotiations with England in a dilatory manner. In this case the Soviet Union would continue to have a free hand in any conflict which might break out.

Herr Draganoff then stated that he had declared to the Soviet Russian Charge that Germany, in his opinion, could have no aggressive aims against the Soviet Union, and he pointed out that the situation had also changed with respect to other countries, since Mein Kampf had been written. He reproached Russia with the fact that she had

-17-

helped Rumania to the Dobruja, for which the charge tried to lay the blame exclusively on the tsarist government.

At the end Herr Proganoff repeated again that he had no indications why Herr Astakhov had given him this information. He was pondering the possibility that this was probably done with the intention of having Herr Proganoff report it to us.

Woermann

I certify that this is a literal and correct extract from "Razi-Soviet Relations 1939-1941", The Department of State 1948.

Nuernberg, 22nd of March, 1948.

(Rudolf Aschenauer)

Defense counsel

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Defense Document

Page 21/22:

Frames 111436-111440, serial 103

The German charge in the Soviet Union (Tippelskirch) to the
German Foreign Office

D/261 secret
W.950/39g

Moscow, June 18, 1939,

Reference report of June 17, 1939, by a different channel.

Subject: Conversation with Commissar for Foreign Trade
Mikoyan on June 17, 1939.

.....

The fact that Mikoyan received Herr Hilger immediately after
his arrival, after an appointment had been made on the day
before, shows that Mikoyan is anxious not to lose contact.

V. Tippelskirch

I certify that this is a literal and correct extract from
"Nazi-Soviet Relations 1939-1941", The Department of State
1948.

Munich, 23rd of March, 1948

(Rudolf 'Schonauer)

Defense Counsel

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Defense Document

Page 26/27:

Frames 111452-111453, serial 103

The German Ambassador in the Soviet Union (Schulenburg) to

the German Foreign Office

Telegram

Urgent

Moscow, June 29, 1939-2:40 a.m.

Secret

Received June 29, 1939-7:20 a.m.

No. 115 of June 28

..... We, on the German side, would continue to take advantage of any opportunity to prove our goodwill. However, we had not answer from the Soviet Union to the question of what Molotov meant in his last conversation with me by "creation of a new basis of our relationship" ("Schaffung einer Neuregelung der Basis"). We also objected to the attitude of the Soviet press.

Molotov replied that he received my statements with satisfaction. The foreign policy of the Soviet Government was, in accordance with the pronouncements of its leaders, aimed at the cultivation of good relations with all countries, and this of course applied - provided there was reciprocity to Germany too. He was gratified that in the opinion of the German Government the Berlin Treaty was still in force, particularly since the Soviet Government had had doubt about that. As to the question of the treaty negotiations for nonaggression pacts with the Baltic countries, Molotov remarked that Germany had concluded them in her own interest, and not out of love for the Soviet Union. He had to doubt the permanence of such treaties after the experience which Poland had had; to which I replied that Poland had herself caused the termination of the treaty by joining a combination hostile to us, which was irreconcilable with friendly relations to us.

Concerning the question of resuming economic negotiations Molotov referred to the last conversation between Mikoyan and Wilger. Molotov showed himself informed, approved the attitude of Mikoyan, and suggested that we give Mikoyan the desired information. After settlement of this question the trip to Moscow contemplated by Schnurre would perhaps prove useful.

.....

Schulenburg

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To Defense Document Page 26/27:

I certify that this is a literal and correct extract from
"Nazi-Soviet Relations 1939-1941", The Department of State
1948.

Munich, 22nd of March, 1948

(Rudolf .schneider)

Defense Counsel

Defense Document

Page 32:

Frames 69530-69536, serial 127

Foreign Office Memorandum

Secret
1216g

Berlin, July 27, 1939.

Memorandum

In accordance with my instructions I invited the Soviet Chargé, Astakhov, and Babarin, the chief of the Soviet trade mission here, to West for dinner last night.

Page 33:

.....
2. With the strong agreement of Babarin, Astakhov designated the way of r a p p r o c h e m e n t with Germany as the one that corresponded with the vital interests of the two countries. However, he emphasized that the tempo must probably be very slow and gradual. The Soviet Union had been forced to feel itself most seriously menaced by the National Socialist foreign policy. We had appropriately called our present political situation encirclement. That was exactly how, after the events of September of last year, the political situation had appeared to the Soviet Union. Astakhov mentioned the Anti-Comintern Pact and our relations to Japan, and Munich and the free hand in Eastern Europe that we gained there, the political consequences of which were bound to be directed against the Soviet Union. Our assumption that the Baltic countries and Finland, as well as Rumania, were in our sphere of interest completed for the Soviet Government the feeling of being menaced. Moscow could not quite believe in a

Page 34:

shift of German policy with respect to the Soviet Union. A change could only be expected gradually.

.....
4. During the subsequent discussion Astakhov came back again to the question of the Baltic countries and asked whether, besides economic penetration, we had more far-reaching political aims there. We also took up the Rumanian question seriously. As to Poland, he stated, that Danzig would return to the Reich in one way or another and that the corridor question would have to be solved somehow in favor of the Reich. He asked whether the territories which once belonged to Austria were not also tending toward Germany, particularly the Galician and Ukrainian territories. After descri-

- 2 -

bing our commercial relations to the Baltic countries, I confined myself to the statement that no German-Russian clash of interests would result from all these questions. Moreover, the settlement of the Ukrainian question had shown that we did not aim at anything there that would endanger Soviet interests.

.....

Senurro

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Nuremberg, 23rd of March 1948

(Rudolf Aschenauer)

Defense Counsel

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D e f e n s e - D o c u m e n t

Page 3:

ranges 69528-69529, serial 137

The German Foreign Office to the German Ambassador in the
Soviet Union (Schulenburg)

Secret
W 1216g

Berlin, July 29, 1936

.....
At the end Stahov asked whether we would maintain similar
opinions if a prominent Soviet representative were to dis-
cuss these questions with a prominent German representa-
tive. Schnurre answered this question essentially in the
affirmative.

.....
von Weizsaecker

I certify that this is a literal and correct extract from
"Nazi-Soviet Relations 1939-1941", The Department of the
State 1948.

Fuernberg, 23rd of March, 1948.

(Rudolf Schenauer)
Defense Counsel

- 24 -

Page 37 ff.:

frames 69519-69521, serial 127

The Reich Foreign Minister to the German Ambassador in the
Soviet Union (Schulenburg)

telegram

very urgent

Berlin, August 3, 1939 - 5:47 p.
Received Moscow, August 4, 1939 - 4:30 a.m.

No. 166 of August 3

For the Ambassador personally

Last evening I received the Russian charge, who had previously called at the office on other matters. I intended to continue with him the conversations with which you are familiar, that had previously been conducted with Astakhov by members of the Foreign Office with my permission. I alluded to the trade agreement discussions, which are at present progressing satisfactorily, and designated such a trade agreement as a good step on the way toward a normalization of German-Russian relationships, if this was desired. It was well known that the tone of our press with regard to Russia had for over half a year been a very different one. I considered that, insofar as the desire existed on the Russian side, a remodeling of your relations was possible, on two conditions:

- a) noninterference in the internal affairs of the other country (Herr Astakhov believes he can promise this forthwith);
- b) abandonment of a policy directed against our vital interests. To this, Astakhov was unable to give any clear-cut answer, but he thought his Government had the desire to pursue a policy of mutual understanding with Germany.

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I continued that our policy was a direct and long-range one; we were in no hurry. We were favorably disposed toward Moscow; it was therefore a question of what direction the rulers there wanted to take. If Moscow took a (negative) attitude, we would know where we stood and how to act. If the reverse were the case, there was no problem from the Baltic to the Black Sea that could not be solved between the two of us. I said that there was room for the two of us on the Baltic and that Russian interests by no means needed to clash with ours there. As far as Poland was concerned, we were watching further developments attentively and dispassionately. In case of provocation on the part of Poland, we would settle matters with Poland in the space of a week. On this contingency, I dropped a gentle hint at coming to an agreement with Russia on the fate of Poland.

..... The chargé, who seemed interested, tried several times to pin the conversation down to more concrete terms,

Ribbentrop

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1933-1941", The Department of State 1948.

Munich, 23rd of March, 1948

(Rudolf Bockenauer)

Defense Counsel - 26 -

Defense Document 331
D e f e n s e - D o c u m e n t

Page 3, ff.:

Trained 8:522-69327, serial 137

the German Ambassador in the Soviet Union (Schulenburg) to
the German Foreign Office

Telegram

No. 158 of August 3 Moscow, August 4, 1939-12;

Re instruction 71268 of July 20, and telegraphic direc-
tive of July 31.

In a conference of 1 hour today, Molotov abandoned his
usual reserve and appeared unusually open.

.....

I thereupon again stressed the absence of opposition of in-
terests in foreign policy and mentioned German readiness so
to orient our behavior with regard to the Baltic States, if
occasion arose, as to safeguard vital Soviet Baltic inter-
ests.

At the mention of the Baltic States, M. was interested in
learning what states we meant by the term and whether Li-
thuania was one of them.

On the Polish question I stated that we persisted in our well-
known demands on Poland but strove for a peaceful solution.
If on the other hand a different solution were forced on us,
we were prepared to protect all Soviet interests and come
to an understanding with the Soviet Government on this matter.

M. showed evident interest but said that a peaceful solution
depended first of all on us.

17

I vigorously contradicted this and pointed out that the British guarantee had unfortunately brought it about that the decision lay with the Polish authorities.

I then repudiated Molotov's assertion that Germany alone was to blame for deterioration in German-Soviet relations. I reminded him of the fateful consequences of the conclusion of the treaty of 1935 with France and added that the possible new participation by the Soviet Union in a combination hostile to Germany might play a similar role. M. replied that the present course taken by the Soviet Union aimed at purely defensive ends and at the strengthening of a defensive front against aggression. In contrast to this, Germany had supported and promoted the aggressive attitude of Japan by the Anti-Comintern Pact and in the military alliance with Italy was pursuing offensive as well as defensive aims.

In conclusion M. assured me that he would apprise his Government of my statements and repeated that the Soviet Government also desired normalization and improvement of relations.

.....

Schulenburg

I certify that this is a literal and correct extract from "Gazi-Soviet Relations 1939-1941", The Department of State 1948
Muenberg, 24th of March, 1948

(Rudolf Schenauer)

Defense Counsel

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Defense Document

Page 42/43:

Frames 178513-178517, serial 276

The German Ambassador in the Soviet Union (Schulenburg)
to Counselor of Legation Schliep of the German Foreign
Office

Moscow, August 7, 1949.

.....

My old acquaintance, Minister Idman, who at present is in charge of the Finnish Legation, told me that when he called on Molotov the latter expressed himself as very dissatisfied over the hostile attitude of the Finnish press toward Russia. Idman said he replied that the Finnish press is free to write what it wishes and if it prints anti-Russian articles the Soviet Union had certainly given occasion for this.

The Danish Minister here recently made his first call on Molotov. The Minister President brought up the question of the German-Danish Nonaggression Treaty. He had taken note of, but had made no comment on, the Minister's statement that Denmark was much reassured by the conclusion of the pact.

In conversation with Molotov, the Ministers of Latvia and Estonia here also characterized the German Nonaggression treaties as guarantees of peace, and remarked that the conclusion of the treaties had been entirely natural, since Latvia and Estonia had similar nonaggression treaties with the Soviet Union. Molotov, however, had taken the position that these treaties indicated an inclination toward Germany, and he could not be moved from this position.

The Estonian Charge here, in talking about the attitude of the Soviets toward Baltic questions, spoke of the possibility that Germany might guarantee the independence of Latvia and Estonia, as it had done with Belgium. I am of the opinion that the Soviets no longer want such a guarantee to be given by us.

.....

Count von der Schulenburg

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Muenberg, 24th of March, 1948

- 29 -
(Rudolf Aschenauer)

Defense Document 333
D e f e n s e - D o c u m e n t

Pages 23237-23241, serial 34

Foreign office memo andum

To W 1301/36g

Page 44 ff.:

MEMORANDUM

Soviet chargé Astakhov called on me today at 11 a.m. for a conversation lasting an hour. First the journey of the German participants in the agricultural exhibition at Moscow was discussed (cf. separate memorandum). I then asked Astakhov whether he had any news from Moscow regarding the questions which had been discussed between us. Astakhov replied in the affirmative and stated as follows:

The question informally discussed between us, as to whether a political thought could be inserted in the preamble to the credit agreement, had also been examined in Moscow. It was held more appropriate not to connect the trade and credit agreement with language of a political nature. This would be anticipating the future. I replied to Herr Astakhov that this was our view, too. Astakhov then mentioned that he had once again received an express instruction from Moscow to emphasize that the Soviet Government desired an improvement in relations with Germany. The declaration he had made to me the last time was thereby strengthened. I took advantage of this in the ensuing conversation to tell Astakhov the following:

We had noted with satisfaction that the Soviet Government was anxious to continue the conversation regarding the improvement of Soviet-German relations. We had wished that Molotov would let us know his basic attitude in regard to the status of Soviet interests in order to facilitate further conversations and had believed that it was premature for us to discuss concrete problems so long as we did not know exactly the interests of the Soviets. But, in any event, one question was quite ripe, namely Poland. The Polish delusion of grandeur, shielded by England, drove Poland constantly to new provocations. We were still hoping that Poland would somehow come to reason, so that a peaceful solution could be found. Failing this, it was possible that, against our will and against our desires, a solution by force of arms would have to take place. If, as we had now done on various occasions, we had declared ourselves willing to enter upon a

large-scale adjustment of mutual interests with Moscow, it was important for us to know the position of the Soviet Government on the question of Poland. In Moscow, after political negotiations had brought no result, military negotiations were now being conducted with England and France. We scarcely believe that, contrary to the direction in which her interests clearly lay, the Soviet Union will align herself with England and make herself, as had England, a guarantor of megalomaniac Polish aspirations. It would, of course, mean a poor start for the German-Soviet conversations, if, however, as a result of the military negotiations in Moscow, a sort of military alliance were contemplated against us, with the Soviet Union participating. These were therefore questions that were of interest to us at this stage of our conversations, and upon them depended, after all, the prospects of achieving a German-Soviet understanding: in the first place, then, the attitude of the Soviet Union on the Polish question, and, in the second place, the objectives that Moscow was pursuing in the military discussions with England and France. I could again assure Herr Astakhov, as I had already done on various occasions, that, even in the event of a solution by force of arms, German interests in Poland were quite limited. They did not at all need to collide with Soviet interests of any kind, but we had to know those interests. If the motive behind the negotiations conducted by Moscow with England was the feeling of being threatened by Germany in the event of a German-Polish conflict, we for our part were prepared to give the Soviet Union every assurance desired, which would surely carry more weight than support by England, which could never become effective in Eastern Europe.

Astakhov was keenly interested, but naturally had no instructions of any kind from Moscow to discuss the subject of Poland or the subject of the negotiations in Moscow. In the course of the conversation, however, he went quite extensively into both subjects on his own accord. The negotiations with England had begun at a time when there had still been no sign of a disposition on the part of Germany to come to an understanding. The negotiations had been entered upon without much enthusiasm, but they had to conduct them because they had to protect themselves against the German threat and had to accept assistance wherever it was offered. To be sure, the situation had changed since the conversations with Germany had started. But one could not now simply break off something which had been begun after mature consideration. The outcome of the negotiations was uncertain in his opinion, and it was quite possible that his Government likewise considered the question as completely open. Our conversation of today, just as those which previously took place, would surely tend in that direction. On the ques

tion of Poland, he said that he doubted whether he would receive a concrete reply from Moscow on this enormous problem. At this stage of the conversations it was somewhat like putting the cart before the horse to want to bring the question of Poland up now for final discussion. Astakhov sought to learn whether any German decision in the Polish question could be expected in the next few days and what Germany's aims in respect to Poland were. I avoided a reply to this question as at any rate did not show such urgency in the matter. Astakhov will report and then revert to these questions. Astakhov was unable to answer an informal question regarding the possible return of his Ambassador. On the contrary, he asked me whether we had not heard anything from Moscow regarding Herr Merelov. He emphasized, however, that it made no difference in our talks who was acting as the official representative of the Soviet Government in Berlin.

Berlin, August 10, 1939

Schnurre

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Muenberg, 24th of March, 1948

(Rudolf Schonauer)

Defense Counsel

Defense Document

Page 46/47:

Frames 228752-228755, serial 472

The German Ambassador in the Soviet Union (Schulenburg) to the
State Secretary in the German Foreign Office (Weizsaecker)

Moscow, August 14, 1939.

My very esteemed Herr von Weizsaecker!

.....

The following were the main points in my last conversation
with Herr Molotov: the statements about the Baltic States
satisfied him to a certain extent, but he wanted to know
whether we also included Lithuania among the Baltic States.
My statements on the Polish question evidently impressed
him, too; he followed my words with the greatest attentive-
ness. His comment on this point is perhaps worth noting:
"Compliance with the desire of the Germans that, in the Po-
lish matter, no 'solution' be forced on the Reich,
depends, above all, on Germany itself." Herr Molotov appa-
rently meant thereby - whatever might happen - the fault
would be ours.

.....

F. W. Schulenburg

I certify that this is a correct and literal extract from
"Nazi-Soviet Relations 1939-1941", The Department of State 1
Munich, 24th of March, 1948

(Rudolf Aschenauer)

Defense Counsel

Defense Document

Page 48/49:

Frames 65514-65515, serial 127

The German Foreign Office to the German Ambassador in the
Soviet Union (Schulenburg)

T e l e g r a m

No. 171 of August 14

Berlin, August 14, 1939-1:52 p.
Received Moscow, August 14, 1939-5 p.m.

For the Ambassador for his information.

Astakhov called on me on Saturday in order to communicate to me the following:

We had received instructions from Molotov to state here that the Soviets were interested in a discussion of the individual groups of questions that had heretofore been taken up. I designated as such questions, among others, besides the pending economic negotiations, questions of the press, cultural collaboration, the Polish question, the matter of the old German-Soviet political agreements. Such a discussion, however, could be undertaken only by degrees, as we had expressed it, by stages. The Soviet Government proposed Moscow as the place for these discussions, since it was much easier for the Soviet Government to continue the conversations there. In this conversation, I left the matter open as to whom we would propose to conduct the conference, the Ambassador or another personage, to be sent out.

To my question as to what priority the Soviets assigned the question of Poland, A. replied that he had received no special instructions regarding sequence, but that the chief stress of his instructions lay in the phrase "by degrees".

These communications of A.'s were probably the amplified instructions to the Charge of which you notified us.

Subject to further instructions.

Schnurre

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1
Number, 24th of March, 1948

(Rudolf Aschenauer)

Defense Counsel

- 34 -

Page 50:

~~SECRET~~

Frames 69510-69513, serial 127

The Reich Foreign Minister to the German Ambassador
in the Soviet Union (Schulenburg)

Telegram

Most Urgent Berlin, August 14, 1939-10:53 p.m.

Received Moscow, August 15, 1939- 4:40 a.m.

No. 175 of August 14

For the Ambassador personally.

I request that you call upon Herr Molotov personally and communicate to him the following:

.....
2) There exist no real conflicts of interest between Germany and the U.S.S.R. The living spaces of Germany and the U.S.S.R. touch each other, but in their natural requirements they do not conflict. Thus there is lacking all cause for an aggressive attitude on the part of one country against the other. Germany has no aggressive intentions against the U.S.S.R. The Reich Government is of the opinion that there is no question between the Baltic and the Black Seas which cannot be settled to the complete satisfaction of both countries. Among these are such questions as: the Baltic Sea, the Baltic area, Poland, Southeastern questions, etc. In such matters political cooperation between the two countries can have only a beneficial effect. The same applies to German and Soviet economy, which can be expanded in any direction.

..... S.51:

6) The crisis which has been produced in German-Polish relations by English agitation for war and the attempts at an alliance which are bound up

with that policy, make a speedy clarification of German-Russian relations desirable. Otherwise these matters, without any German initiative, might take a turn which would deprive both Governments of the possibility of restoring German-Soviet friendship and possibly of clearing up jointly the territorial questions of Eastern Europe. The leadership in both countries should, therefore, not allow the situation to drift, but should take action at the proper time. It would be fatal if, through mutual lack of knowledge of views and intentions, our peoples should be finally driven asunder.

.....

Ribbentrop

I certify that this is a literal and correct extract from " Nazi-Soviet Relations 1939 - 1941 ", The Department of State 1948.

Nuernberg, 24th March, 1948

(Rudolf Aschenauer)
Defense Counsel

Page 52/53:

Frames 254836 - 254837, serial 644

The German Ambassador in the Soviet Union (Schulenburg)
to the German Foreign Office.

Telegram

Versantant Moscow, August 16, 1939-2:30 a.m.

Secret

No. 175 of August 15

Reference your telegram No. 175 of August 14.

Molotov received with greatest interest the information I had been authorized to convey, designated it as extremely important, and declared that he would report it to his Government at once and give me an answer shortly. He could already state that the Soviet Government warmly welcomed German intentions of improving relations with the Soviet Union and in view of my communication of today now believed in the sincerity of these intentions.

In the matter of the Reich Foreign Minister coming here, he wanted to state tentatively, as his own opinion, that such a trip required adequate preparation in order that the exchange of opinions might lead to results.

In this connection, he was interested in the question of how the German Government was disposed to the idea of concluding a non-aggression pact with the Soviet Union, and further, whether the German Government was prepared to influence Japan for the purpose of improvement in Soviet-Japanese relations and settlement of border conflicts and whether a possible joint guarantee of the Baltic States was contemplated by Germany.

With regard to sought-for expansion of commercial intercourse, M. admitted that negotiations were progressing successfully in Berlin and approaching a favorable conclusion.

M. repeated that if my communication of today included the idea of a nonaggression pact or something similar, this question must be discussed in concrete terms, in order that, in the event the Reich Foreign Minister comes here, it will not be a matter of an exchange of opinion but that concrete decisions will be made.

M. recognized that speed was necessary in order not to be confronted with accomplished facts, but stressed the fact that adequate preparation of the problems mentioned by him was indispensable.

A detailed memorandum on the course of the conversation will follow Thursday by special courier via plane.

Schulenburg

I certify that this is a literal and correct extract from " Nazi-Soviet Relations 1939 - 1941 ", The Department of State 1948.

Nuernberg, 6th of March, 1948

(Rudolf Archonauer)
Defense Counsel

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-38-

Frames 69503-69509, serial 127

Pages 53-56:

Memorandum by the German Ambassador in the Soviet Union
(Schulenburg)

Secret

I began the interview with Molotov on August 15 about 8:00 p.m. by stating that according to information which had reached us the Soviet Government was interested in continuing the political conversations, but that it preferred that they be carried on in Moscow.

.....
Molotov listened to the reading of the instruction with close (gespannter) attention, and he directed his secretary to make as extensive and exact notes as possible. Molotov then declared that in view of the importance of my communication he could not give me an answer at once but he must first render a report to his Government. He could state at once, however, that the Soviet Government warmly (lobhaft) welcomed the intention expressed on the German side to bring about an improvement in relations with the Soviet Union. Prior to the further communication which he would make to me shortly, after securing instructions from his Government, he wanted, at the moment, to express the following views of his own with regard to the proposals of the German Government.

A trip by the Reich Foreign Minister to Moscow would require extensive preparation if the intended exchange of views was to produce any result. In this connection, he asked me for information as to whether the following was in accordance with the facts.

The Soviet Government at the end of June of this year had received a telegraphic report from its Charge in Rome about a conference between the latter and the Italian Foreign Minister, Ciano. In this conversation Ciano had said that there was a German plan under way which had as its goal a decisive improvement in German-Soviet relations. In that connection Ciano had referred to the following items in the plan:

- 1) Germany would not be disinclined to exercise influence on Japan for the purpose of an improvement of her relations with the Soviet Union and the elimination of the boundary disputes.
- 2) Further, the possibility was envisaged of concluding a nonaggression pact with the Soviet Union and making a joint guarantee of the Baltic States.
- 3) Germany was prepared to make an economic treaty with the Soviet Union on a broad basis.

.....
Molotov repeated that he was interested above everything else in an answer to the question of whether on the German side there was the desire to make more concrete the points which had been outlined in Rosso's report.

.....
Molotov replied that he would still have to make a further reply to me with regard to the question of the visit here by the Reich Foreign Minister. It seemed to him, however, that for such a journey a previous clarification and preparation of definite questions would be necessary, so that it would not be just conversations which were carried on in Moscow, but that decisions could be made as well. He heartily subscribed to my statement that a prompt clarification was desirable. He also had the opinion that haste was desirable, so that the march of events would not confront us with accomplished facts. He must, therefore, repeat that if the German Government was favorably inclined to the idea of the conclusion of a nonaggression pact, and if my statement of today included this or a similar idea, more concrete discussion of these questions should take place at once. He requested me to inform my Government in this sense.

Count von der Schulenburg

Moscow, August 15, 1939

I certify that this is a literal and correct extract from "Nazi-Soviet Relations 1939-1941", The Department of State 1948.

Nuernberg, April 5, 1948

(Rudolf Aschenauer)

Defense Counsel

Page 57:

Frames 178545 - 178547, serial 276

The German Ambassador in the Soviet Union (Schulenburg)
to the State Secretary in the German Foreign
Office (Weizsaecker)

Moscow, August 16, 1939

My Esteemed State Secretary: With regard to my
conversation of yesterday with Herr Molotov, I
should like in all haste to stress especially
the following:

Herr Molotov was quite unusually compliant and
candid.

o 1

In Herr Molotov's statements yesterday, the
surprising moderation in his demands on us also
seems to be worthy of note.

More significant is his quite clearly expressed
wish to conclude a nonaggression pact with us.

Despite all efforts, we did not succeed in
ascertaining entirely clearly what Herr Molotov
desired in the matter of the Baltic States. It
appears that he mentioned the question of a joint
guarantee of the Baltic States as only one
point in Herr Rösse's report, but did not
expressly make the demand that we give such a
guarantee. Such a joint guarantee seems to
me at variance with the behavior of the Soviet
Government in the British-French negotiations.

Count von der Schulenburg

I certify that this is a literal and correct
extract from "Nazi-Soviet Relations 1939 -
1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

-41-

Page 58:

Frames 69501 - 69502, serial 127

The Reich Foreign Minister to the German Ambassador
in the Soviet Union (Schulenburg)

Telegram

Urgent

Berlin, August 16, 1939, 4:15 p.m.

Received Moscow, August 17, 1939-1 a.m.

No. 179 of August 16

For the Ambassador personally.

I request that you again call upon Herr Molotov with the statement that you have to communicate to him, in addition to yesterday's message for Herr Stalin, a supplementary instruction just received from Berlin, which relates to the questions raised by Herr Molotov. Please then state to Herr Molotov the following:

1) The points brought up by Herr Molotov are in accordance with German desires. That is, Germany is ready (bereit) to conclude a non-aggression pact with the Soviet Union and, if the Soviet Government so desires, one which would be irrevocable (unkuendbar) for a term of twenty-five years. Further, Germany is ready to guarantee the Baltic States jointly with the Soviet Union. Finally it is thoroughly in accord with the German position, and Germany is ready, to exercise influence for an improvement and consolidation of Russian-Japanese relations.

2) The Fuehrer is of the opinion that, in view of the present situation, and of the possibility of the occurrence any day of serious incidents (please at this point explain to Herr Molotov that Germany is determined not to endure Polish provocation indefinitely), a basic and rapid clarification of German-Russian relations and the mutual adjustment of the pressing questions are desirable. For these reasons the Reich Foreign Minister declares that he is prepared to come by plane to Moscow at any time after Friday, August 18, to deal on the basis of full powers from the Fuehrer with the entire complex, of German-Russian questions and, if the occasion arises (gegebenenfalls), to sign the appropriate treaties.

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Annex: I request that you read these instructions to Herr Molotov and ask for the reaction of the Russian Government and Herr Stalin. Entirely confidentially, it is added for your guidance that it would be of very special interest to us if my Moscow trip could take place at the end of this week or the beginning of next week.

Ribbentrop

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939 - 1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

Page 59/60:

Frames 69496 - 69500, serial 127

The German Ambassador in the Soviet Union
(Schulenburg) to the German Foreign Office.

Telegram

Moscow, August 18, 1939 -5:30 a.m.

very urgent

secret

No. 182 of August 17

Reference your telegram 179 of August 16.

Nikolai Molotov supplied the following supplementary information:

- 1) Economic agreements must be concluded first. What has been begun must be carried through to the end.
- 2) Then there may follow after a short interval, according to German choice, the conclusion of a nonaggression pact or the reaffirmation of the neutrality treaty of 1926. In either case there must follow the conclusion of a protocol in which, among other things, the German statements of August 15 would be included.
- 3) With regard to the proposed trip of the Reich Foreign Minister to Moscow, he declared that the Soviet Government was very gratified by this proposal, since the dispatch of such a distinguished public figure and statesman emphasized the earnestness of the intentions of the German Government. This stood in noteworthy contrast to England, who, in the person of Strang, had sent only an official of the second class to Moscow. A journey by the Reich Foreign Minister however, required thorough preparation. The Soviet Government did not like the publicity that such a journey would cause. They preferred that practical work be accomplished without so much ceremony. To my remark that it was precisely by the journey of the Reich Foreign Minister that the practical goal could be speedily reached, Molotov countered that the Soviet Government nevertheless preferred the other way in which the first step had already been taken.

.....

Schulenburg

I certify that this is a literal and correct
extract from "Nazi-Soviet-Relations 1939 -1941",
The Department of State 1948.

Munich, don 5. April 1948

(Rudolf Aschoneuer)
Defense Counsel

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Page 61, 62, 63:

Frames 69492 - 69495, serial 127

The Reich Foreign Minister to the German Ambassador in
the Soviet Union (Schulenburg)

Telegram

very urgent

Berlin, August 18, 1939 - 10:48 p.m.

Received Moscow, August 19, 1939 - 5:45 a.m.

No. 185 of August 18

For the Ambassador personally.

Reference your telegram No. 182.²⁹

Please arrange immediately another conversation with Herr Molotov and do everything possible to see that this conversation takes place without any delay. At this conference, I would ask you to speak with Herr Molotov in the following sense:

The Reich Government, to its great satisfaction, has learned from his last statement the favorable attitude of the Soviet Government with regard to the remodeling of German-Russian relations. We, too, under normal circumstances, would naturally be ready to pursue a re-alignment of German-Russian relations further through diplomatic channels and to carry it out in the customary way. But the present unusual situation made it necessary, in the opinion of the Fuehrer, to employ a different method which would lead to quick results. German-Polish relations were becoming more acute from day to day. We had to take into account that incidents might occur any day that would make the outbreak of hostilities unavoidable. To judge from the whole attitude of the Polish Government, the developments in this respect by no means rested with us. The Fuehrer considers it necessary that we be not taken by surprise by the outbreak of a German-Polish conflict while we are striving for a clarification of German-Russian relations. He therefore considers a previous clarification necessary if only to be able to consider Russian interests in case of such a conflict, which would, of course, be difficult without such a clarification.

The statement made by Herr Molotov refers to your first communication of August 15th. My supplementary

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instruction had gone beyond this and stated clearly that we were in complete agreement with the idea of a nonaggression pact, a guarantee of the Baltic States, and German pressure on Japan. All factual elements for immediate commencement of direct verbal negotiations and for a final accord were therefore present.

Furthermore, you may mention that the first stage mentioned by Herr Molotov, namely, the conclusion of negotiations for a new German-Russian economic agreement, has today been completed, so that we should now attack the second stage.

We were, therefore, now asking for an immediate reaction to the proposal made in the supplementary instruction regarding my immediate departure for Moscow. Please add in this connection that I would come with full powers from the Fuehrer, authorizing me to settle fully and conclusively the total complex of problems.

As far as the nonaggression pact especially is concerned, it seems to us so simple as to require no long preparation. We have in mind here the following three points, which I would ask you to read to Herr M., but not to hand to him.

Article 1. The German Reich and the U.S.S.R. will in no event resort to war or to any other use of force with respect to each other.

Article 2. This agreement shall enter into force immediately upon signature and shall be valid and undenounceable thereafter for a term of twenty-five years.

Please state in this connection that I am in a position, with regard to this proposal, to arrange details in verbal discussions at Moscow

 The German Reich and the U.S.S.R. will in no event resort to war or to any other use of force with respect to each other.
 This agreement shall enter into force immediately upon signature and shall be valid and undenounceable thereafter for a term of twenty-five years.
 Please state in this connection that I am in a position, with regard to this proposal, to arrange details in verbal discussions at Moscow

and, if occasion arises, to comply with Russian wishes. I am also in a position to sign a special protocol regulating the interests of both parties in questions of foreign policy of one kind or another; for instance, the settlement of spheres of interest in the Baltic area, the problem of the Baltic States, etc. Such a settlement, too, which seems to us of considerable importance, is only possible, however, at an oral discussion.

Please emphasize in this connection, that German foreign policy has today reached a historic turning point. This time please conduct conversation, expect for above articles of agreement, not in the form of a reading of these instructions, but by pressing emphatically, in the sense of the foregoing statements, for a rapid realization of my trip and by opposing appropriately any possible new Russian objections. In this connection you must keep in mind the decisive fact that an early outbreak of open German-Polish conflict is probable and that we therefore have the greatest interest in having my visit to Moscow take place immediately.

Ribbentrop

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939 - 1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

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Page 63:
Frames 69490 - 69491, serial 127

The German Ambassador in the Soviet Union
(Schulenburg) to the German
Foreign Office

Telegram

very urgent Moscow, August 19, 1939-5:50 P.M.
No. 187 of August 19

Reference your telegram No. 185 of August 18.

The Soviet Government agrees to the Reich Foreign Minister's coming to Moscow one week after proclamation of the signing of the economic agreement. Molotov stated that if the conclusion of the economic agreement is proclaimed tomorrow, the Reich Foreign Minister might arrive in Moscow on August 26 or 27.

Molotov delivered to me a draft of a non-aggression pact.

A detailed account of the two conversations I had with Molotov today, as well as the text of the Soviet draft, follows by wire at once.

Schulenburg

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939 - 1941", The Department of State 1948.

Nuernberg, don 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

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Frames 69481 - 69483, serial 127

The German Ambassador in the Soviet Union (Schulenburg)
to the German Foreign Office

Telegram

Moscow, August 19, 1939

very urgent

secret

No. 189 of August 19

.....

Further, the content of the protocol was a very serious question and the Soviet Government expected the German Government to state more specifically what points were to be covered in the protocol. The attitude of the Soviet Government toward treaties which it concludes was a very serious one; it respected the obligations which it undertakes and expected the same of its treaty partners.

.....

Schulenburg

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939-1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

Frames 254844 - 254846, serial 644

The Reich Foreign Minister to the German Ambassador
in the Soviet Union (Schulenburg)

Telegram

very urgent

Berlin, August 20, 1939-4:35 p.m.

Received Moscow, August 21, 1939-12:45 a.m.

No. 189 of August 20

For the Ambassador personally.

The Fuehrer authorizes you to present yourself to Molotov at once and hand him the following telegram from the Fuehrer to Herr Stalin:

"Herr Stalin, Moscow 1) I sincerely welcome the signing of the new German-Soviet Commercial Agreement as the first step in the reordering of German Soviet relations.

2) The conclusion of a nonaggression pact with the Soviet Union means to me the establishment of a long-range German policy. German thereby resumes a political course that was beneficial to both states during by-gone centuries. The Government of the Reich is therefore resolved in such case to act entirely consistent with such a far-reaching change.

3) I accept the draft of the nonaggression pact that your Foreign Minister, Herr Molotov, delivered, but consider it urgently necessary to clarify the questions connected with it as soon as possible.

4) The supplementary protocol desired by the Government of the Soviet Union can, I am convinced, be substantially clarified in the shortest possible time if a responsible German statesman can come to Moscow himself to negotiate. Otherwise the Government of the Reich is not clear as to how the supplementary protocol could be cleared up and settled in a short time.

5) The tension between Germany and Poland has become intolerable. Polish demand toward a great power is such that a crisis may arise any day. Germany is determined, at any rate, in the face of this presumption, from now on to look after the interests of the Reich with all the means at its disposal.

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6) In my opinion, it is desirable, in view of the intentions of the two states to enter into a new relation to each other, not to lose any time. I therefore again propose that you receive my Foreign Minister on Tuesday, August 22, but at the latest on Wednesday, August 23. The Reich Foreign Minister has full powers to draw up and sign the nonaggression pact as well as the protocol. A longer stay by the Reich Foreign Minister in Moscow than one to two days at most is impossible in view of the international situation. I should be glad to receive your early answer. Adolf Hitler."

Please deliver to Herr Molotov the above telegram of the Fuehrer to Stalin in writing, on a sheet of paper without letterhead.

Ribbentrop

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939 - 1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

Frame 260307, serial 695

The German Ambassador in the Soviet Union (Schulenburg)
to the German Foreign Office

Telegram

very urgent
secret

Moscow, August 21, 1939

No.199 of August 21

Supplementing my telegram No.197 of August 21.

Molotov delivered to me at 5 p.m. Stalin's answer, couched in very conciliatory form in reply to the Fuehrer's message. Stalin advises that the Soviet Government agrees to the arrival of the Reich Foreign Minister on August 23.

Molotov declared that it was the desire of the Soviet Government that tomorrow morning at the latest a short factual communiqué on the contemplated conclusion of a nonaggression pact and "pending" arrival of the Reich Foreign Minister be published in Moscow. Molotov requested German assent to this by midnight. I advise consenting since the Soviet Government places itself on record through publication.

Text of Stalin's letter follows at once by wire.

Schulenburg

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939 - 1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschensauer)
Defense Counsel

Defense Document 347

Frame 254847, serial 644

The Reich Foreign Minister to the German Foreign
Office

Telegram

very urgent Moscow, August 23, 1939-8:05 p.m.
No. 204 of August 23

Please advise the Fuehrer at once that the first three-hour conference with Stalin and Molotov has just ended. At the discussion - which, moreover, proceeded affirmatively in our sense - it transpired that the decisive point for the final result is the demand of the Russians that we recognize the ports of Libau and Windau as within their sphere of influence. I would be grateful for confirmation before 8 o'clock German time that the Fuehrer is in agreement. The signing of a secret protocol on delimitation of mutual spheres of influence in the whole eastern area is contemplated, for which I declared myself ready in principle.

Ribbentrop

I certify that this is a literal and correct extract from "Nazi-Soviet-Relations 1939 - 1941", The Department of State 1948.

Nuernberg, den 5. April 1948

(Rudolf Aschenauer)
Defense Counsel

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Defense Document 348

Frames 182 - 183, serial F 19

Secret Additional Protocol

On the occasion of the signature of the Nonaggression Pact between the German Reich and the Union of Socialist Soviet Republics the undersigned plenipotentiaries of each of the two parties discussed in strictly confidential conversations the question of the boundary of their respective spheres of influence in Eastern Europe. These conversations led to the following conclusions:

1. In the event of a territorial and political rearrangement in the areas belonging to the Baltic States (Finland, Estonia, Latvia Lithuania) the northern boundary of Lithuania shall represent the boundary of the spheres of influence of Germany and the U.S.S.R. In this connection the interest of Lithuania in the Vilna area is recognized by each party.

2. In the event of a territorial and political rearrangement of the areas belonging to the Polish state the spheres of influence of Germany and the U.S.S.R. shall be bounded approximately by the line of the rivers Narew, Vistula, and San.

The question of whether the interests of both parties make desirable the maintenance of an independent Polish state and how such a state should be bounded can only be definitely determined in the course of further political developments.

In any event both Governments will resolve this question by means of a friendly agreement.

3. With regard to Southeastern Europe attention is called by the Soviet side to its interest in Bessarabia. The German side declares its complete political disinterestedness in these areas.

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4. This protocol shall be treated by both parties as strictly secret.

Moscow, August 23, 1939
For the Government
of the German Reich
V. Ribbentrop

Plenipotentiary of the
Government of the
U.S.S.R.:
V. Molotov

I certify that this is a literal and correct
extract from "Nazi-Soviet-Relations 1939 -
1941", The Department of State 1948.

Nuernberg, April 5, 1948

(Rudolf Aschenauer)
Defense Counsel

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Extract from:

" The Great Globe Itself "

a preface to world affairs
by

William C. Bullitt

Ambassador to the Union of Soviet Socialist Republics,
1933-36

Ambassador to France,
1936-40

New York

Charles Scribners's sons
1946

page: 219

Appendix I

Charges and particulars of violations by the Soviet Government of international treaties, agreements, and assurances, collated with the charges and particulars of similar violations caused by the defendants at the trial of the major German War Criminals (Appendix B of the Indictment at Nuremberg, issued by the U.S. War Department, October 19, 1945).

Soviet violations

Charge I

Violation of the Covenant of the League of Nations, signed on June 28, 1919, and adhered to by the Union of Soviet Socialist Republics, hereinafter referred to as the USSR, on September 18, 1934.

Particulars

(A) In that the USSR did, on or about August 23, 1939, in violation of Article 10 of the Covenant, under the guise of a Non-Aggression Treaty with Germany, take part in a joint conspiracy to deprive Poland, Estonia, Latvia and Lithuania of their sovereign independence and their territorial integrity, and Finland and Rumania of their

territorial integrity - all these States being, with the USSR, co-members of the League of Nations.

(B) In that the USSR did, on or about September 28, 1939, in page 220:

violation of article 10 of the Covenant, conclude an agreement with Germany to partition the territory of the Republic of Poland, member of the League of Nations.

(C) In that the USSR did, on or about November 30, 1939, without recourse to peaceful means of settling disputes between the members of the League of Nations, and in particular to the provisions of Article 12 of the Covenant, resort to war against Finland, and was in consequence expelled from the League of Nations on December 14, 1939, by a unanimous resolution of the Assembly and the Council of the League of Nations.

Charge II

Violation of the Treaty of Peace between Estonia and the Russian Socialist Federative Socialist Republic signed in Tartu, February 2, 1920.

Particulars

In that the USSR, which on July 6, 1923, assumed all international obligations of the RSFSR, did, on or about August 6, 1940 incorporate Estonia into the USSR, in violation of the provisions of Articles 2 and 3 of the Treaty of Tartu.

Charge III

Violation of the Treaty of Peace between Lithuania and the Russian SFSR, signed in Moscow, July 12, 1920.

Particulars

In that the USSR did, on or about August 3, 1940, incorporate page 221:

Lithuania into the USSR, in violation of the provisions of Articles 2 and 3 of the Treaty of Moscow.

Charge IV

Violation of the Treaty of Peace between Latvia and the Russian SFSR signed in Riga, August 11, 1920.

Particulars

In that the USSR did, on or about August 5, 1940, incorporate Latvia into the USSR, in violation of the provisions of Articles 2 and 3 of the Treaty of Riga.

Charge V

Violation of the Treaty of Peace between Finland and the Russian SFSR, signed in Tartu, October 14, 1920.

Particulars

In that the USSR did, on or about March 12, 1940, incorporate the city and region of Viipuri and other territories into the USSR, in violation of the provisions of Articles 2 and 3 of the Treaty of Tartu.

Charge VI

Violation of the Treaty of Peace between Poland and the Russian SFSR, the Ukrainian SSR and the Byelorussian SSR, later united in the USSR, signed in Riga, March 18, 1921.

Particulars

(A) In that the USSR did, on or about November 1, 1939, incorporate Southeastern Poland into the Ukrainian SSR, in violation of the provisions of Articles 2, 3 and 5 of the Treaty of Riga.

page 222:

(B) In that the USSR did, on or about November 2, 1939, incorporate Northeastern Poland into the Byelorussian SSR, in violation of Articles 2, 3 and 5 of the Treaty of Riga.

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(C) In that the USSR did, on or about October 10, 1939, detach from Poland and incorporate in Lithuania the city and region of Wilno, in violation of Articles 3 and 5 of the Treaty of Riga.

(D) In that the USSR did, on or about August 3, 1940, incorporate the city and region of Wilno, together with the Republic of Lithuania, into the USSR, in violation of Articles 2, 3, and 5 of the Treaty of Riga.

Charge VII

Violation of the Treaty of Neutrality and Non-Aggression entered into between the USSR and Lithuania on September 28, 1926, and of the Protocols of May 6, 1931, and of April 4, 1934, prolonging the validity of such treaty until December 31, 1945.

Particulars

In that the USSR did, on or about June 15, 1940, with its military forces invade and occupy Lithuania, thereby violating its neutrality and territorial integrity and destroying its sovereign independence.

Charge VIII

Violation of the Treaty providing for renunciation of war as an instrument of national policy, signed at Paris, August 27, 1928, known as Kellogg-Briand Pact, to which the USSR acceded on August 27, 1928.

page 223:

Particulars

In that the USSR did, on or about the dates specified in Column 1, with a military force, attack the sovereigns specified in Column 2, respectively, and resort to war against such sovereigns in violation of its solemn declaration condemning recourse to war for the solution of international controversies, its solemn renunciation of war as an instrument of national policy in its relations with such sovereigns and its solemn covenant that settlement or solution of all disputes

or conflicts of whatever nature or origin arising between it and such sovereigns should never be sought except by pacific means.

Column 1	Column 2
Sept. 17, 1939	Poland
Nov. 30, 1939	Finland

Charge IX

Violation of the Protocol signed at Moscow, February 9, 1929, between the USSR and Estonia, Latvia, Poland and Rumania, for the immediate entry into force of the Treaty of Paris of August 27, 1928, regarding renunciation of war as an instrument of national policy, later adhered to by Lithuania.

Particulars

In that the USSR did, on or about September 17, 1939, with its military forces attack, invade and commit other acts ^{of} aggression against Poland.

Charge X

Violation of the Treaty of Non-Aggression and Amicable

page 224:

Settlement entered into between the USSR and Finland on January 21, 1932, and of the Protocol of April 7, 1934, prolonging the validity of such treaty until December 31, 1945.

Particulars

In that the USSR did, on or about November 30, 1939, with its military and naval forces attack, invade and commit other acts of aggression against Finland.

Charge XI

Violation of the Treaty of Non-Aggression entered into between the USSR and Latvia on February 5, 1932, and of the Protocol of April 4, 1934, prolonging the validity of such treaty until December 31, 1945.

-60-

Particulars

In that the USSR did, on or about June 16, 1940, with its military forces invade and occupy Latvia, thereby destroying its sovereign independence.

Charge XII

Violation of Convention of Conciliation entered into between the USSR and Finland on April 22, 1932.

Particulars

In that the USSR, notwithstanding its undertaking to submit for amicable settlement in a Conciliation Commission disputes of all kinds which might arise between it and Finland, which were not capable of settlement by diplomacy, did, on or about November 30, 1939, with a military force attack, invade and occupy
page 225:

parts of the Finnish territory, thereby violating the territorial integrity of Finland.

Charge XIII

Violation of Treaty of Non-Aggression and Amicable Settlement entered into between the USSR and Estonia on May 4, 1932, and of the Protocol of April 4, 1934, prolonging the validity of such treaty until December 31, 1945.

Particulars

In that the USSR did, on or about June 16, 1940, with military forces invade and occupy Estonia, thereby destroying its sovereign independence.

Charge XIV

Violation of Convention of Conciliation entered into between the USSR and Estonia on June 16, 1932.

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Particulars

In that the USSR, notwithstanding its undertaking to submit for amicable settlement in a Conciliation Commission disputes of all kinds which might arise between it and Estonia, which were not capable of settlement by diplomacy, did, on or about June 16, 1940, with a military force invade and occupy Estonia, thereby violating its territorial integrity and destroying its sovereign independence.

Charge XV

Violation of Convention of Conciliation entered into between the USSR and Latvia on June 18, 1932.

page 226:

Particulars

In that the USSR, notwithstanding its undertaking to submit for amicable settlement in a Conciliation Commission disputes of all kinds which might arise between it and Latvia, which were not capable of settlement by diplomacy, did, on or about June 16, 1940, with a military force invade and occupy Latvia thereby violating its territorial integrity and destroying its sovereign independence.

Charge XVI

Violation of Pact of Non-aggression entered into between the USSR and Poland on July 25, 1932, and of the Protocol of May 5, 1934, prolonging the validity of such pact until December 31, 1945.

Particulars

In that the USSR did, on or about September 17, 1939, having previously come to an understanding on that subject with Germany and acting as its accomplice, with its military forces attack, invade and commit other acts of aggression against the Republic of Poland, thereby violating its territorial integrity and destroying its sovereign independence.

Charge XVII

Violation of the Convention for Conciliation entered into between the USSR and Poland on November 23, 1932.

Particulars

In that the USSR, notwithstanding its undertaking to sub-
page 227:

mit for amicable settlement in a Conciliation Commission disputes which might arise between it and Poland, which were not capable of settlement by diplomacy, did, on or about September 17, 1939, with a military force attack, invade and occupy parts of Polish territory, thereby violating the territorial integrity of Poland and, in partnership with Germany, destroying its sovereign independence.

Charge XVIII

Violation of Convention for the Definition of Aggression, proposed by the USSR and entered into at London on July 3, , 1933, between the USSR and Rumania, Estonia, Latvia, Poland, Turkey, Iran and Afghanistan, and on January 31, 1934, acceded to by Finland.

Particulars

In that the USSR did, on or about the dates specified in Column 1, with a military force invade and commit other acts of aggression against the sovereigns specified in Column 2, in violation of the provisions of the Convention of London, and in particular of the annex to its Article 3, containing a list of circumstances excluded as justifying aggression against states immediately adjacent to the USSR.

Column 1	
Sept.	17, 1939
Nov,	30, 1939
June	16, 1940
June	16, 1940
June	27, 1940

Column 2
Poland
Finland
Estonia
Latvia
Rumania

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page 228:

Charge XIX

Violation of Notes exchanged between the USSR and Poland on September 10, 1934, and of a Joint Statement with Poland on November 26, 1938, confirming the inviolability of peaceful relations between the two states on the basis of all existing agreements.

Particulars

In that the USSR, on or about September 17, 1939, having achieved a previous understanding on that subject with Germany and acting as its accomplice, did with its military forces attack and invade Poland, and, on or about November 1 and 2, 1939, annex Eastern Poland to the USSR.

Charge XX

Violation of the Pact of Mutual Assistance between Estonia and the USSR, signed in Moscow on September 28, 1939.

Particulars

In that the USSR, notwithstanding the provisions of that Pact, which reinsured the independent statehood of Estonia and non-interference in her internal affairs, did, on or about June 16, 1940, with its military forces invade, occupy and absorb into the USSR the sovereign territory of Estonia.

Charge XXI

Violation of the Pact of Mutual Assistance between Latvia and the USSR, signed in Moscow on October 5, 1939.

page 229:

Particulars

In that the USSR, notwithstanding the provisions of that Pact, which reinsured the independent statehood of Latvia and non-interference in her internal affairs, did, on or about June 16, 1940, with its military forces invade, occupy and absorb into the USSR the sovereign territory of Latvia.

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Charge XXII

Violation of the Pact of Mutual Assistance between Lithuania and the USSR, signed in Moscow on October 10, 1939.

Particulars

In that the USSR, notwithstanding the provisions of that Pact, which reinsured the independent statehood of Lithuania and non-interference in her internal affairs, did, on or about June 15, 1940, with its military forces invade, occupy and absorb into the USSR the sovereign territory of Lithuania.

Charge XXIII

Violation of Soviet assurances given on March 28, 1939, October 31, 1939, and March 29, 1940, to respect complete independence of Estonia, Latvia and Lithuania, as well as their political, social and economic systems.

Particulars

In that the USSR did, on or about June 15 and 16, 1940, with military forces invade and occupy Estonia, Latvia and Lithuania, and on or about August 3, 5 and 6, 1940, incorporate Estonia, Latvia and Lithuania into

page 230:

the USSR, thereby destroying their independence, as well as their political, social and economic systems.

Charge XXIV

Violation of assurance given on June 9, 1934, by exchange of letters between Foreign Commissar Litvinov of the USSR and Titulescu, Rumanian Foreign Minister, that the USSR guaranteed full and entire respect of the sovereignty of Rumania.

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Particulars

In that the USSR did, on or about June 26, 1940, under the threat of an ultimatum, with its military forces occupy and absorb into the USSR the provinces of Bessarabia and Northern Bukovina, thereby violating the sovereignty of Rumania.

Charge XXV

Violation of the agreement entered into between the USSR and Poland on July 30, 1941, and of the Declaration of Friendship and Mutual Assistance, signed by Stalin and Prime Minister Sikorski at Moscow on December 4, 1941.

Particulars

In that the USSR, in order to justify the annexation of Polish territory to the USSR, did, on or about April 25, 1943, sever relations with the Polish Government and substitute for it a group of agents of the USSR, which it subsequently, on or about January 1, 1945, recognized as the Polish Government.

page 231:

Charge XXVI

Violation of the Anglo-Soviet-Iranian Treaty of January 29, 1942, which provided that the forces of the Allied powers should be withdrawn from Iranian territory not later than six months after all hostilities between the Allied powers and Germany and her associates had been suspended.

Particulars

In that, in spite of the elapse of more than six months since the suspension of all hostilities between the Allied powers and Germany and her associates, and in spite of the protests of the Iranian, British and American Governments, the Soviet Government continued to maintain Soviet troops on Iranian territory after the date stipulated.

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Charge XXVII

Violation of the Declaration of December 1, 1943, regarding Iran, signed at Teheran by Marshal Stalin, Prime Minister Churchill and President Roosevelt, stating that the Governments of the Soviet Union, Great Britain and the United States were at one with the Government of Iran in their desire for the maintenance of the independence, sovereignty and territorial integrity of Iran.

Particulars

In that the Soviet Government did, on or about November 19, 1945, set up in the Iranian Province of Azerbaijan a government hostile to the Iranian Government, and that Soviet armed forces prevented by force the

page 232:

Iranian Government from reestablishing its authority over this portion of its territory, thereby violating the sovereignty and territorial integrity of Iran.

Charge XXVIII

Violation of the basic principles of international law and morality.

Particulars

(A) In that the USSR, in order to justify in advance the proposed annexation of Eastern Poland into the USSR, did, on or about October 22, 1939, under military occupation, organize fraudulent one-ticket elections to the so-called "National Assemblies" of Western Ukraine and Western Byelorussia.

(B) In that the USSR, in order to justify its attack on Finland and the proposed annexation of Finnish territory, did, on or about December 2, 1939, recognize a Soviet-appointed "Peoples' Government" of Finland, and concluded with that body agreements disposing of Finnish territory.

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(c) In that the USSR, in order to justify in advance the proposed annexation of the Republics of Estonia, Latvia and Lithuania, did, on or about June 14 and 15, 1940, under military occupation, organize fraudulent one ticket elections to the so-called "Parliaments" of Estonia, Latvia and Lithuania.

I certify that this is a literal and correct extract from "The Great Globe Itself" by William C. Bullitt.

Nuernberg, April 1, 1948

signed: Rudolf Aschenauer
Defense Counsel

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Exerpts from:

" Problems of Leninism (Voprosy Leninizma) by Stalin.
Moscow: OGIZ, 1939."

extracted from:

" The Great Globe Itself "
a preface to world affairs

by

William C. Bullitt

Ambassador to the Union of Soviet Socialist Republics,
1933-36

Ambassador to France,
1936-40

New York

Charles Scribner's sons
1946

page 293:

The Task of the Victorious Revolution.

The development and the support of the revolution in other countries is an essential task of the victorious revolution. Thus the revolution victorious in one country must not consider itself a self-contained entity, but a support, a means of speeding the victory of the proletariat in other countries.

Lenin briefly expressed this thought in saying that the task of the victorious revolution consists in the accomplishment of the " maximum possible in one country for the development, support, and stirring up of revolution in all countries (cf.v.23,p.385).

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The Long Fight for Communism.

That is why Lenin says that " the dictatorship of the proletariat is the most unconditional and most merciless war of the new class against its more powerful enemy, the bourgeoisie, whose resistance is increased ten-fold when overthrown, " that " the dictatorship of the proletariat is a stubborn fight-bloody and bloodless, violent and peaceful, military and economic, educational and administrative-against the forces and traditions of an old society "(cf.v.25,p. 173 and 190).

It need hardly be proved that there is not the least possibility of realizing all these tasks in a short period of time, of accomplishing all this in a few years. The dictatorship of the proletariat, the transition from capitalism to communism, must therefore not be regarded as a brief moment of " super-revolutionary " deeds and decrees, but as an entire historical period, with civil wars and foreign conflicts, of constant organizational work and economic reconstruction, of attacks and retreats, of victories and defeats.

Dictatorship of The Proletariat.

The state is an instrument in the hands of the ruling class for the suppression of its " class enemies " resistance. In this sense the dictatorship of the proletariat is in no way different, in substance, from the dictatorship of any other class, for the proletarian state is a means to suppress the bourgeoisie. There is a substantial difference between the two, however, in that all heretofore existent class states have been dictatorships of an exploiting minority over the exploiting majority, whereas the dictatorship of the proletariat is a dictatorship of the exploited majority over the exploiting minority.

In brief, the dictatorship of the proletariat is the domination of the proletariat over the bourgeoisie, unobstructed by law and

based upon violence, enjoying the sympathy and support of the working and exploited masses. From this, two fundamental deductions follow:

First Deduction: the dictatorship of the proletariat cannot be "perfect" democracy, democracy for all, rich as well as poor; a dictatorship of the proletariat "must be a
page 295:

state that is democratic in a new way, for the proletariat and the poor at large; and dictatorial in a new way, for the bourgeoisie....." (State and Revolution).

If, of course, in the distant future, the proletariat is victorious in the most important capitalist states and the present encirclement gives way to socialist encirclement, a "peaceful" road of development is entirely possible in some capitalist countries, where the capitalists, because of the "unfavorable" international situation, will then consider it advisable to "volunteer" considerable concessions to the proletariat. But this supposition deals only with a distant and potential future; for the immediate future these suppositions have no relevance whatsoever.

Stages of The Revolution and Strategy.

Strategy is the establishment of the direction of the main blow of the proletariat on the basis of the specific conditions at any given stage of the revolution; the development of a corresponding plan of disposition of the revolutionary forces (main forces and reserves); the fight for the accomplishment of this plan during the entire period of that stage of the revolution.

Our revolution has already passed through two stages and, since the October Revolution, is starting on the third stage. Our strategy has changed accordingly.

.....

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Page 296:

the/
Third Stage, since October Revolution. Aim-consolidation of the dictatorship of the proletariat in one country, using it as a point of support for the overthrow of imperialism in all countries. The revolution extends beyond the borders of one country, and the epoch of world revolution has begun. Main force of the revolution: dictatorship of the proletariat in one country and revolutionary movement of the proletariat in all others. Main reserves: the semi-proletarian and petty-peasant masses in the advanced countries and the movements for the liberation of colonies and dependent areas. Direction of the main blow:

page 297:

the isolation of the petty-bourgeois democrats and of the parties of the Second International that form the main support of the policy of compromise with imperialism. Plan of disposition for our forces: an alliance of the proletarian revolution with the liberation movement in the colonies and dependent areas. Strategy deals with the main forces of revolution and with their reserves. It changes with the transition of the revolution on the basis of conditions at a specific stage of the revolution, while remaining essentially the same throughout any one given stage.

The Ebb and Flow of the Movement and Tactics.

Tactics is the establishment of the line of conduct of the proletariat for the rather short period of ebb and flow of the movement, of rise and decline of the revolution. It is a fight for the accomplishment of this line through the replacement of old forms of fight and the organization of new ones, through the interconnection of these forms, etc. Whereas the aim of strategy is to win the war, be it against tsarism or against the bourgeoisie, to its bitter conclusion, tactics are concerned with the more

immediate tasks as they aim not to win an entire war but rather a particular battle; or to wage a particular campaign or action according to the concrete circumstances of the ebb and flow of the revolution. Tactics form a part of strategy, inferior and subordinated to it.

.....

Page 298:

The same is true of the second and third stages of the revolution when tactics changed dozens of times while the strategic plans remained unchanged. Tactics deal with the forms of combat and the forms of organization of the proletariat, with their changes and relations. Tactics may have to change several times during one and the same

page 299:

period of the revolution in accordance with the ebb and flow of the revolution.

Gain Time and Decompose.

A manœuvring of reserves designed for a correct retreat when the enemy is strong and when retreat is inevitable, when we are beforehand aware of the disadvantages of engaging in battle which the enemy imposes on us, when, given the ratio of forces, retreat is the only means of preventing a blow on the vanguard and of maintaining the reserves behind it.

" The revolutionary parties, " Lenin says, " must complete their education. They have learned how to attack. Now they must understand that it is necessary to supplement this by a knowledge of how best to retreat. They must understand (and the revolutionary class learns to understand by its bitter experience) that victory

is impossible without learning both how to attack and how to retract properly."

The object of this strategy is to gain time, to decompose the enemy, and to assemble forces so as to take the offensive later.

I certify that this is a literal and correct extract from: "The Great Globe Itself" by William C. Bullitt.

Nuernberg, April 1, 1948

signed: Rudolf Aschenauer
Defense Counsel

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James F. Byrnes: Speaking Frankly,
Harper & Brothers Publishers, New York and
London 1947.

Page 291:

..... When the foreign press published reports that German troops were concentrating on Russia's borders, the Soviet Government, through the official Tass News Agency, declared that the rumors were inspired by warmongers, that relations between the two countries were pleasant and that existing treaties made it clear there was no threat to the Soviet Union. Of course they did not believe what they were saying.

Page 292:

.....

The next day, June 23, 1941, Schulenburg received instructions from Berlin to see Molotov and make the following statement:

"The increasing Soviet troop concentrations at the German border have reached such a proportion that they are intolerable to the German Government. The German Government, therefore, has decided to take countermeasures."

"Is this a declaration of war?" Molotov asked.

The alleged concentrations of Soviet troops, Molotov added, could only be a pretext since the Russian forces were merely engaged in customary maneuvers. "Had the German Government questioned, the Soviet Union would have given an adequate explanation."

Ambassador Schulenburg did not say that "customary maneuvers" was the customary explanation.

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- 2 -

I certify that this is a literal and correct
extract from: James F. Byrnes: Speaking
Frankly, Harper & Brothers, Publishers,
New York and London 1947.

Nuernberg, April 6, 1948

signed: Rudolf Aschenauer
Defense Counsel

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DEFENSE

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CASE 6 - TRIBUNAL VI

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Case 6
Defense

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CASE VI

DOCUMENT BOOK I

for

PAUL HAEFLIGER

SUBMITTED BY THE
DEFENSE COUNSEL

DR. WOLFRAM V.
METZLER
Attorney-at-Law



Table of Contents of Document Book I for Paul HAEFLIGER,
Case VI, Doc. 10-22, P. 1 - 52

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10	Affidavit of the defendant Paul HAEFLIGER concerning his curriculum vitae and vocational development up to 1933.	1
11	Excerpts from the pamphlet "Speeches of Consul P. HAEFLIGER, before Swiss colony at Frankfurt on the Main during the period 1934/1937" on the occasion of the Swiss Confederation Festival and at other events. These speeches demonstrate the defendant Paul HAEFLIGER's attachment to the Swiss Way of Life and to the Swiss ideology which is democratic and aspires to a peaceful solution for all international problems. Among other things he states: "May our Cross be a symbol and convey hope to all those who strive to preserve in their heart the faith that after the time of national recrudescence must come the time for conciliation of the peoples of Europe, united among themselves, and with it the sacred respect for the personal life of the individual."..... "Those are truly Swiss, courageous and statesmanlike words."... "They demand..... that we wish to resolve our fate ourselves in free and independent action. They demand in fulfillment of that aim the necessary defense force which will guarantee the permanency of freedom: but they concede the same privilege to every country as an inalienable right". One ought to believe that by this time everybody should begin to understand what people who have traveled afar and who have world experience have realized long ago that there is no room for military conflict on our continent, which was so graciously blessed by nature, and that actually the peoples of Europe are much closer united in cultural and spiritual matters than most people seem yet to sense."	5

12

Affidavit of Ludwig ADLHOCH, formerly secretary to the defendant HAEFLIGER, in which he discusses the relationship between HAEFLIGER and the Manager of the Verkaufsgemeinschaft Chemikalien Eduard WEBER-ANDREAE, (Sales Combine for Chemicals) who was his superior, and in which he shows that WEBER-ANDREAE conducted the affairs of this sales combine in an autocratic manner and continuously checked the activity of his colleagues including HAEFLIGER's.

With regard to the appointment of HAEFLIGER to the Committee on Chemicals, the witness states the following: "This appointment came about at such a late date that any influence on the part of Herr HAEFLIGER on the decisions and directives, which were issued to cover a lengthy period, is out of question.

As any other department chief, Herr HAEFLIGER, prior to his appointment, merely was carrying out the decisions of this board."

The witness then describes the motives which caused HAEFLIGER to acquire German citizenship during the war. 12

13

Affidavit of Karl von HEIDER, formerly Titular Director in the Verkaufsgemeinschaft Chemikalien, concerning HAEFLIGER's position in this sales combine. The witness states that after 1928 HAEFLIGER no longer was considered deputy and eventual successor to WEBER-ANDREAE, Chief of the sales organisation, but that he was assigned to several gentlemen including the witness who were subordinate to WEBER-ANDREAE.

The witness further stated that HAEFLIGER's colleagues in view of his Swiss nationality were definitely toward him reserved towards him in matters requiring secrecy, with the result that he was poorly informed in such matters. 18

HAEFLIGER No.	Exh. No.	Contents	Page
14		Official statement by the Swiss Consulate at Frankfurt which throws light on the coercion under which HAEFLIGER acquired German citizenship. It is further certified that HAEFLIGER retained his Swiss citizenship and that he was issued his last Swiss Passport on 29 January 1946,	24
15		Affidavit of Helmut BORGWARDT, formerly Titular Director in the Verkaufsgemeinschaft Chemikalien, concerning HAEFLIGER's position. The statements of the witness are in line with those of the witness v. HEIDER. He states that HAEFLIGER was assigned to him.	26
16		Affidavit of Wilhelm E. KIEP, formerly Titular Director in the Verkaufsgemeinschaft Chemikalien, concerning HAEFLIGER's position. The witness confirms the statements of the witnesses von HEIDER and BORGWARDT.	29
17		Affidavit of Bodo SCHAEF, formerly Titular Director in the Verkaufsgemeinschaft Chemikalien, concerning HAEFLIGER's position. The witness confirms the statements of the witnesses von HEIDER, BORGWARDT and KIEP.	32
18		Affidavit of Wilhelm Michael SCHNEIDER, formerly Prokurist in the Verkaufsgemeinschaft Chemikalien, concerning HAEFLIGER's position. The witnesses states among other things: "It thus follows that Herr HAEFLIGER never was in a position to act in the capacity of a regular member of the Vorstand within the Verkaufsgemeinschaft Chemikalien". The witness describes HAEFLIGER's sphere of duties after the outbreak of war.	33

- 4 a -

I certify that all documents contained in this
Document Book are verbatim copies of the origin
documents introduced before the Tribunal

Nuernberg, 1 March 1948

Dr. Wolfram v. METZLER
Attorney-at-Law.

AFFIDAVIT

I, Paul HAEFLIGER, Frankfurt/Main, Schumannstrasse 39, at present in Nuernberg, having been duly warned that I make myself liable to punishment if I make a false affidavit declare under oath that my statement is true and was made in order to be submitted as evidence before the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

I am hereunder presenting my curriculum vitae and a description of my career up to the year 1933.

I was born 19 November 1886 in Steffisburg, Canton Berne (Switzerland) as a son of the Swiss citizen Johann Friedrich HAEFLIGER.

My father, who was a merchant, had spent 28 years of his life in Chile. His political attitude was that of a convinced democrat and antimilitarist, as is generally the case with a widely-travelled man with a broad horizon. My father was also a Freemason.

This attitude of my father, dictated by his political conviction,

(page 2 of original)

very decisively influenced my education. After completion of my studies in the "progymnasium" and "gymnasium" in Berne, I went on to the commercial college (hoehere Handelsschule) in Neuchatel, which was an international institute in which studies were guided by principles of international thinking and relationships. In Neuchatel I lived with the family of the grand-master of the Freemasons Quartier-La Tente, the founder of the international Freemason bureau.

After completion of my studies at the commercial college in Neuchatel, at the age of 18, I went to London where I worked as a commercial apprentice first with the Bolivian mining firm, Aramayo, Francke & Co., and later on with the coal brokers Agius & Co. Ltd. My apprenticeship lasted two and a half years. Concerning my professional career up to the year 1933, I refer to my affidavit of 2 May 1947, exhibit No. 293, NI-No. 5165, Doc. Book 11, English p. 63, German p. 75, as well as to the correction of this affidavit of 4 May 1947, exhibit No. 1615, NI No. 104 17, Doc. Book 66, English p. 6, German p. 5., wherein I described my professional career following my entry into the Chemische Fabrik Griesheim-Elektron, Frankfurt/Main on 15 February 1909.

I wish, however, to supplement this by adding

(page 3 of original)

that I worked under Herr EBER-ANDREAE, who also was my chief with the I.G. Farben, already in the "Konventionsabrechnungsstelle" (agreements clearing-house) of the Chemische Fabrik Griesheim-Elektron one of the predecessor firms of I.G. Farben which, as I mentioned already before, I joined on 15 February 1909; I was, therefore, even then dealing with international agreements in the line of industrial chemicals which later on constituted my special field in the I.G. Farben as well.

For the sake of a concise description of my professional career from the time of my entry into the Chemische Fabrik Griesheim - Elektron up to the year 1933, I draw attention to the following fact:

In the year 1915 I was appointed "Prokurist" in the firm Griesheim-Elektron, in 1922 honorary director, and in 1924 deputy member of the "Vorstand". In this capacity I was taken over by the newly founded I.G. Farbenindustrie Ltd. in 1925.

Muernberg, 24 February 1948

signed Paul HAEFLIGER
PAUL HAEFLIGER

(page 4 of original)

The above is the recognised personal signature of
Herr Paul HAEFLIGER, of the address of Frankfurt/Main,
Schumannstr. 39, at present at the Palace of Justice,
Nurnberg, given before me, attorney-at-law Dr.
Welfram von METZLER, here, and herewith certified and
witnessed by me.

Nuernberg, 24 February 1948

signed Dr.v. METZLER
attorney-at-law

Excerpts from the Pamphlet

"S p e e c h e s

by

Consul F. HAEFLIGER on the occasion of
the Swiss Federal Celebrations and on other occasions
held before the Swiss Colony, Frankfurt on Main 1934/
1937."

Speech held on the occasion of taking over the office
of Swiss Consul on 27 February 1934:

Page 1 bottom, and page 2 top:

"There is a certain something about the Swiss citizens abroad. For years they would allow their devotion to professional tasks shroud the love for their fatherland, but there comes the time, when the dormant old affection for their home country gets the upper hand again, and when they are spiritually and ideologically drawn to the austere and sober nature of our people. All of us here in Germany have been witnessing for the past year the emergence of a new state. Living through these historical events, the Swiss in the Reich will have to return to their own ways more than ever before."

Page 2, paragraph 4:

"....., that the Swiss abroad must not actively participate in the political developments which take place in their hosts' country."

"If a person departs from his father's house, he simply has no alternative but to leave the decisions how to conduct their affairs to those who remained at home."

(page 2 of original)

Page 2 bottom:

"If the Swiss associations etc. should become involved in any kind of politics, this harmony would certainly be broken up."

Page 3 center:

"Glancing across at our home country, are there not definite signs, if we judge quite objectively, that there the conditions mentioned are almost completely lacking?"

(Note: Here, these conditions are referred to which brought about National Socialism in Germany.)

Page 4, paragraph 3:

"At all times and quite determinedly however, we shall have to adhere to the belief that our fatherland's unity has been welded together by the century-old union of the multi-lingual nationalities, without which fact Switzerland could not have become what it is, i.e. it would not be the Switzerland we know."

Page 4, last paragraph but one:

"Let us hope and trust that our Cross will be the sign and the hope for all those people who want to retain their spiritual faith in themselves, and that another era shall succeed the period of national renaissance: The conciliation of Europe's nations, united in themselves, and making it their sacred obligation to respect one another's independence."

Speech held on the occasion of the Swiss Federal Celebrations in 1934:

Page 6, paragraph 3:

"Just as two decades ago, it will have to be proved in these days that the bonds which tie our various nationalities together, that our Swiss characteristics, are stronger than all the influences that intrude upon us from the more remote surroundings of our country, and that the future will have to show the impossibility of mastering our internal problems by sheer imitation methods, but solely by applying the inherent Swiss methods, i.e. in brief, in such a manner which takes fully into account the spirit of freedom and liberty in every true Swiss."..... We shall calmly rely on the common sense of our nation!"

Document Book I H. J. FLIGER
Document No. 11

(page 2 of original, cont'd.)

Page 6 bottom through page 8:

"Here in this place, I ask your permission to quote
those parts of the highly important speech held by our
esteemed Bundesrat Motta, which highlight the present
situation so splendidly,He said:

(page 3 of original)

.....
All of us feel the need of closing our ranks more tightly,
and to defend our status as a community.

.....
I believe, there is hardly a more peace-loving nation in
the world than ours. Which other nation offers us example
of thousands and thousands of citizens who leave their
homes shouldering their rifles, showing that they guard
their state and who, with a minimum of police measures,
peacefully return home after everything is over? This is
the type of democratic peace and order in which each citizen
knows that he himself is an integral part of the national
sovereignty of the people, and in which the political com-
munity is determined to remain solely and exclusively the
master of its own destiny.

There is hardly a nation, I am sure, more devoted to the
system which aims at establishing law and rightful thinking
in place of the sinister temptations of might and power
than ours. Under no circumstances will the Federal Council
leave the path of independent policy, i.e. a policy of active
neutrality, nor will it yield to any promises, but will
cling and promote this policy which it always observed
before, during, and after the World War.

However, our genuine alignment to a system which serves
to further the peaceful comity of nations, at no times
bespoke a waiver to our military defense.

Those nations who do not safeguard or attend to their mili-
tary defense measures, will be the certain prey of in-
vasion.

.....
'We are a federal community composed of divers nationalities,
which are ruled by the spirit of a supreme unity. The very
diversity of our characteristics is a spiritual power,
for it guarantees each national group complete parity for its
natural development.'

These are profoundly Swiss, courageous and statesmanlike
words. They do not criticize at all those events which
happened and are still happening in other countries; they
merely demand in an impressive manner that we want to be the
independent and free masters of our own destiny. For this
purpose, an appropriate defense force, which shall secure
our freedom, shall be established; on the other hand, this
speech also stated that any other country should have the
same inalienable right. These words shall be engraved in
our minds and hearts as the guiding principles for all
our actions."

(page 4 of original)

"We Swiss citizens abroad, united in the love to our home land on the threshold of this new eventful year, will loyally stand by you; we feel with you and like you, we trust and hope that you will be strong and enlightened in negotiating our ship through the storms of these difficult times as a united and peaceful people."

Speech made on the occasion of the Swiss Federal Celebrations
on 1 August 1935:

Page 9, paragraph 3:

"..... that we have remained good Swiss citizens, in spite of all the need and distress, and that we are united in love to our fatherland."

Page 9, paragraph 4 :

"..... The second ballot concerned the so-called crisis-initiative (Kriseninitiative) of 2 June. The final vote shows that our country evidently rejects any too bold experiments in the field of industry and commerce rather instinctively. I think this is a good sign, for we have often experienced, especially during the more recent years, that any direction and regimentation of industry and commerce not only did not result in the intended improvements, but ended up by causing even worse obstacles for a nation's economy."

Page 10 top:

"However, Switzerland had better wait for the results of any such experiments, and only then should the Swiss state introduce measures, or rather countermeasures, with all possible businesslike caution."

Many people might think that this course is not very impressive, but I am of opinion that it is much better for the welfare of a nation, if its acquired treasures are preserved by careful disposition and administration, rather than boldly and recklessly exposing them to possible loss by new untested methods."

Therefore, if it is right to rule out any emotional and impassioned direction of our national economy, we must, however, not banish our passions, if such high spiritual goods of a nation as: 'Honor, Faith, Freedom' are at stake"

(page 5 of original)

Speech on the occasion of the Swiss Federal Celebrations
on 1 August 1936:

Page 11 center:

"Today the Swiss citizens might compare, to some extent, the Olympic fires burning in the North and the mountain fires in our homeland. Both fires are a symbol of peace, as it were!"

Page 12, paragraph 2; paragraph 3:

Moreover, the Olympic Games shall tell the world that the nations' strength and pleasure in fight, represented by their youth, can readily be guided towards peaceful aims, and need not at all be satisfied by murderously slaughtering one another, as many fatalists seem to assume. The same unspoken message is continually relayed from our homeland."

"In the very midst of an overpopulated continent, we have... solved the problem how a number of national groups can very well live together and form one united nation, without the numerically stronger group oppressing the others."

Page 12, paragraph 4:

"Would it be too presumptuous to believe that the higher meaning of Swiss history might be the beacon for the future development of our torn continent?"

.....
"Eventually, everybody should see what much-travelled people versed in the matters of this world have long recognized, i.e. that in this our continent, on which Nature has bestowed so many lavish gifts, there is no room for any hostile actions and warfare, and that really Europe's nations culturally and spiritually are far more closely connected with one another than the majority of people would even believe at the present time. Today, one could advance the outright paradoxical theory that Europe is now not larger, basically, than Switzerland was in the Middle Ages. Then, one needed three to four days from Geneva to St. Gallen by mail-coach. Numerous custom barriers hampered and obstructed an uninterrupted journey. Nowadays, one needs less time, and travels more comfortably, by rail from Lisbon to Warsaw, for example, although there still are numerous customs obstacles.....If, however, we get used to view the sizes of individual countries in the light of air transportation - and who will seriously doubt that the future air-minded generations will quickly adapt themselves to this view - we are now crossing and recrossing our continent in geographical measurements which, compared to

(Page 6 of original)

those Swiss measurements customary during the Middle Ages appear gigantic. However, what happened in Switzerland in the course of time? Gradually, the barriers fell and the country became an entity, by preserving, however, the autonomy and special characteristics of its individual groups."

Page 16 Paragraph 3:

"Freedom always requires and imposes certain relative obligations; for example it means imposition of self-discipline, and if this freedom is not to become a distortion, this self-discipline must be applied even more strictly, when responsibilities grow proportionately."

Speech held on the occasion of the Christmas holidays on
25 December 1936 before the Swiss Society and the Swiss
Mutual Aid Association "Helvetia".

Page 19, Paragraph 2:

"We all feel deeply that the bond of our common homeland is not an empty phrase, but actual reality."

Page 19 bottom:

"....., that these subscriptions were not signed by order or following official pressure, but that they were voluntary tokens of readiness to help."

Page 21, Paragraph 5:

"Let us hope that the New Year will bring peace to the world, or at least aim at establishing peace, which we all wish for so sincerely."

Speech on the occasion of the Swiss Federal Celebrations on
1 August 1937.

Page 21, last paragraph:

"Dressed from all quarters to adopt alien ideologies, strife threatens to split Switzerland.....And those people might yet be proved right, who always relied upon the Swiss persistency: To examine carefully and to reflect, whether and to what extent these new thoughts correspond to our national character and our nation's will, and in how far they might serve its common welfare."

Document Book I HAEFLIGER
Document No. 11

(Page 7 of original)

Page 22, paragraph 2:

"Our history shows us that we were always able to establish contact with the spiritual trends of the surrounding world, and furthermore, it shows us that this came about without being detrimental at all to our national characteristics, nor without violating those laws which made us Swiss what we are, i.e. free citizens of a federation."

Page 22, last paragraph but one:

"Tent up tensions are bound to boil over, and fortunate is the country which can relieve the pressure peacefully, without bloodshed, and supported by well-tested institutions and basic rights, they will guide the country safely through the turmoil of that disturbed period to its eventual renaissance."

Page 24, bottom:

"Now, the mountain fires are flaring up in our homeland; let them be a symbol of a new era of universal peace among the nations!"

WITNESS.

On 26 October 1905 I entered the firm of K.OEHLER, Aniline Factory, in Offenbach on the Main. On 1 January 1906 this plant was purchased by the Chemical Factory Griesheim-Elektron in Frankfurt on the Main and consequently on 6 January 1906 the entire sales department moved to Frankfurt on the Main, Gutleutstrasse No.31, where I was working continuously. In other words, I was employed with the firm already when Herr HAEFLIGER started working with the Griesheim-Elektron and I knew him from the very first day. In November 1915, when I was wounded the second time, I was requested exempt from active service and attached to Herr HAEFLIGER in Berlin, where he was chief of a branch office of the Griesheim Elektron. Our close corporation, which lasted without interruption until the end of the war 1945, dates back to this time. From the very beginning Herr HAEFLIGER took me fully into his confidence in business matters as well as in personal affairs. I became so to speak his factotum, in the best sense of the word, associated with his family at any time, just as I was quite informally a guest of the families of his relatives. His mother, who died 1934, often characterized this relationship in these very pertinent words: "I can't imagine my son Paul without "his Herr Adlhoeh" !"

Concerning the position of Herr HAEFLIGER in the I.G. Farbenindustrie - in the sales combine for chemicals - (Verkaufsgemeinschaft Chemikalien) I should like to state as follows:

Up to 26 October 1943 when Director Eduard WEBER-Andreas died, it was a well-known fact to all important persons concerned (and by the way to any sensible employee of the chemicals Sparte) that Herr Weber-Andreas wanted to be the solely responsible leader of this Sparte and that he made this clear not only to Herr HAEFLIGER personally but also to the department chiefs in a way which could not be misunderstood. To me Herr HAEFLIGER repeatedly commented on this

(page 12 of original).

betraying much excitement and complaining of the despotic behavior of Herr WEBER-Andreas and in particular of this that he still regarded him (Herr HAEFLIGER) as his "young assistant" because he simply would not forget that Herr HAEFLIGER had once started his career with "him". Once remark of WEBER-Andreas is evidence of his inner harshness and despotic unapproachableness: "I cannot imagine that I could be on intimate terms with a single person outside my family."

In addition to my work for Herr HAEFLIGER and without the knowledge of Herr HAEFLIGER I had been strictly commissioned by Herr WEBER-Andreas (which involved for me as the only person the right to enter the post office) to look over incoming chemicals mail prior to distribution to the various departments and to take out the documents which Herr WEBER-Andreas considered the most important. Besides, the chief of the post office, Herr SCHMID (later on Herr KLOESS) had already been instructed from Gutleutstrasse to see to it himself that important matters (mainly complaints of any kind, agreements, travel reports, etc.) were sent to me at least three times daily by special messenger, kept in a locked leather brief-case on which my name was printed and to which only the post office and I had each one key. By means of this mail I then prepared the so-called "lists of letters" in telegraphic style for Herr WEBER-Andreas, which had to be submitted to him daily, or if he was away traveling, must be forwarded to him. No other persons had access to these lists; after they had been initialed by Herr WEBER-Andreas they were returned to me to be destroyed. The examination of the mail had to be carried out as quickly as possible in order that the department chiefs should not notice that they were, so to speak, being double-checked. Not even the correspondence of Herr HAEFLIGER, although he was a member of the Vorstand, was excepted from this supervising activity, which weighed heavily on me through the entire period of these years, indeed Herr WEBER-Andreas required me to do this quite specifically as I once ventured to draw his attention to the fact that Herr HAEFLIGER was member of the Vorstand and not titular director.

(page 3 of original)

or Prokurist. To offer resistance against this order would have been senseless, as "not qualifying for the position as secretary to the management" I should have disappeared in the darkness and at the same time from the surroundings of Herr HAEFLIGER, being transferred as quickly as possible to some small job or to a plant. Herr HAEFLIGER himself did not find out until after years had elapsed that I had carry out this dual activity, and only through a confidential letter addressed to Herr HAEFLIGER from the chairman of the Aufsichtsrat at that time, Geheimrat Dr. C. DUISBERG, Leverkusen, which letter had been put on the "lists of letters". Herr WEBER-Andreas sent for Herr HAEFLIGER, it came to a very violent altercation, and afterwards I was reproached by Herr HAEFLIGER in the most serious words.

I just remember another circumstance of importance: Herr WEBER-Andreas's permanent and almost offensively hostile opposition to the appointment of Herr HAEFLIGER as a member of the COMMITTEE ON CHEMICALS. This appointment took place at so late a date that it is out of the question that Herr HAEFLIGER could have exerted any influence on decisions and guiding principles laid down for longer periods. Prior to his appointment Herr HAEFLIGER, as any other department chief, was only executive officer for the implementation of the decisions of this authority.

A circumstance of significance as indicating that Herr HAEFLIGER for the life-time of Herr WEBER-Andreas was not considered a "full" member of the Vorstand may be found in the fact that as far as I know he was the only member of the Vorstand within the building who, as it can be proven, had no official car and no driver employed by the firm, by the express order of Herr WEBER-Andreas. Not until 26 October 1943, the day of death of Herr WEBER-Andreas, was Herr HAEFLIGER, for reasons of physical infirmity, able to make that he was driven to and from his office in an official car. The opposition of Herr WEBER-Andreas had gone to the grave together with him!

Further, I still quite well remember the discussions with Herr HAEFLIGER when the situation arose that he was to or more correctly had to become a German citizen. I remember distinctly that HAEFLIGER only very reluctantly decided to take this step. However, finally he did so because he felt that certain

(page 4 of original)

more intimate co-workers deliberately concealed business procedures from him, and because otherwise he would not at all have been able to exert his authority, in particular after a more intensive supervision of foreigners was made operative and the duty of secrecy was enforced with increasing strictness. I can also recall that Herr HAEFLIGER made a remark to this effect that he could not possibly expose himself to the risk of being requested perhaps some day at a meeting of the Vorstand to leave the meeting when certain questions were to be discussed. In short, Herr HAEFLIGER had only the alternative of becoming a German or risking his existence. After a severe internal struggle, of which I was a witness in those days, he made up his mind to accept German citizenship. After another hard fight Herr HAEFLIGER succeeded in obtaining permission to retain his Swiss citizenship, a result which to a certain extent reconciled him to his fate. If Herr HAEFLIGER had at that time refused, it is quite certain, after all we know to-day, that in spite of this he would never have reached his home country; for it can be assumed without further argumentation that a person who had worked in the German chemical industry for so long a time would have obtained no permission to leave Germany for the duration of the war.

During the 30 years of co-operation with Herr HAEFLIGER I could not rid myself of the impression that he was regarded as a foreigner towards whom it was appropriate to observe a certain reserve, at least in the circles of employees to which I belonged but which had hardly any contact with Herr HAEFLIGER, this prejudice was voiced with particularly frankness, especially by the Party members in the time of the "Third Reich". Remarks such as: "This Swiss ought to go back to his country; why, Switzerland will have nothing to do with us (read: HITLER!)" either were often addressed directly to me that was at least symptomatic.

I also remember quite distinctly what difficulties Herr HAEFLIGER had in his relations with Director Albert MEYER-KUBSTER, the chief of department ..., the care of which on higher levels was a concern of his; Herr MEYER-KUBSTER was known as a rabid Party adherent, terrorizing his entire entourage and as Herr HAEFLIGER told me on various occasions always threatening to appeal

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to the honor court or in other ways report people to the Party, even towards Herr HAEFLIGER, his direct superior, so that Herr HAEFLIGER felt himself to be under continuous supervision by this very person because of incautious remarks which, as it was known even to me, Herr MEYER-KUESTER always took down immediately. I remember one such serious clash between Herr MEYER-KUESTER and Dr. SCHLECHT in Oppau, on which occasion Dr. SCHLECHT suffered a nervous breakdown as the result of the very substantial threats of MEYER-KUESTER.

In conclusion it also occurs to me that upon instruction of Herr WEBER-ANDREAE I also had to check the traveling expenses not only of the department chiefs but also of Herr HAEFLIGER, indeed even of Ministerialrat and Director Dr. BHEL, who was likewise a member of the Vorstand and who lost his life in a traffic accident; additional proof to substantiate that Herr WEBER-ANDREAE did not acknowledge anybody on a par with him, much less above him. Nobody who knew the said gentleman more closely will dare to question these facts. I knew him since 1906 when he was still a Prokurist and followed his development during forty years with close attention. Herr WEBER-ANDREAE usurped every decision, did not tolerate the least opposition, in short was a despot in the true sense of the word. He was also the official responsible leader of the Sparte. That Herr HAEFLIGER is now being held responsible although he continuously had to suffer restrictions of his influence, that I can't get into my head. It is true it is a fact that Herr HAEFLIGER was a member of the Vorstand, but it is by no means correct that he was responsible for the sales combine for chemicals outside his own special field of work and the special tasks entrusted to him from time to time. In this respect he was no better off than certain closer associates of Herr WEBER-ANDREAE.

Frankfurt on the Main, in November 1947

Kalss-Strasse No. 8

(signed) Ludwig ADLHOCH

LUDWIG ADLHOCH

born on 23 August 1883

(former Secretary of Herr Paul HAEFLIGER)

Member of the Vorstand of the I.G.

Farben Industrie A.G.

Frankfurt on the Main.

(page 4 of original)

No. 14 of the Document Register for 1948

Value: 3,000.- RM

The foregoing signature of Herr Ludwig ADLHOCH, commercial
employee, Frankfurt on the Main, Malss-Strasse 8, is hereby
certified ex officio.

Frankfurt on the Main, 13 January 1948

(Stamp)

(signed) Dr. REMBERT

Dr. Wilhelm REMBERT

Notary Public in Frankfurt on the Main

DR. REMBERT

Notary

Computation of Costs:

Value: 3,000.- RM

Fee, Articles 25, 39 of the Reich Cost Tariff - 5/20 4.- RM

Turnover T x 3 % 0.12 "

Total 4.12 RM.

Initialed (R) Notary

I, Ludwig ADLHOCH, Frankfurt on the Main, Malss-Strasse 8,
have been duly warned that I shall make myself liable to
punishment if I give a false affidavit. I hereby declare
under oath that my foregoing statement is true and was made
to be submitted as evidence before Military Tribunal No. VI
in the Palace of Justice at Muensterberg, Germany.

Frankfurt on the Main, 30 January 1948

(signed): Ludwig ADLHOCH

LUDWIG ADLHOCH

The foregoing signature of Herr Ludwig ADLHOCH, commercial
employee, Frankfurt on the Main, Malss-Strasse 8, is hereby
certified ex officio.

Frankfurt on the Main, 30 January 1948.

(signed): Dr. REMBERT

DR. REMBERT

(Stamp)

Dr. Wilhelm REMBERT

Notary Public in Frankfurt on the Main.

The verbal is true copy of the above certified:

Dr. Wolfram v. METZLER

DR. WOLFRAM V. METZLER

Frankfurt a.M., 17 November 1947

FFIDAVIT.

I, Karl v. HEIDOR, residing in Frankfurt a.M., Grill-
pferstrasse 83, have been duly warned that I make myself
liable to punishment if I make a false affidavit. I declare
under oath that my statement is true and was made in order
to be submitted as evidence to the Military Tribunal No. 47
in the Palace of Justice, Nuernberg, Germany.

1. I make the following statements on the basis of docu-
ments which are available to me and from my own personal
recollections. I can make these statements because since entering
the chemical factory Griesheim-Elektron at Frankfurt a.M.,
(which in 1925 was merged with the I.G. Farbenindustrie
Aktiengesellschaft through amalgamation) I collaborated
closely with Herr Paul H. FLIGER and his superior, Eduard
WEBER-ANDREAS. From the beginning of 1927, when I took over
the management of the Management Department Chemicals, I
also learned a great deal concerning the personal problems
pending between Herr WEBER-ANDREAS, Herr Dr. Bernhard
EURL (the legal member of the Vorstand of the Verkschafts-
gemeinschaft (sales combine) Chemikalien) and Herr H. FLIGER.
After his first divorce (around 1928), I hardly came into
any social contact with Herr H. FLIGER. Our relationship
was more that of cordial acquaintances, without being able
to speak of friendship.

2. Until 1927 when Herr Walter KIRSTEIN from Ludwig-
shafen and 1929 when Herr Wilhelm HOLM from Leverkusen were trans-
ferred to Frankfurt with their former sales departments,
Herr H. FLIGER was generally regarded as deputy and later
successor of Herr WEBER-ANDREAS in all commercial questions.
Herr HOLM and Herr KIRSTEIN, however, never considered
themselves subordinate to Herr H. FLIGER even if Herr
KIRSTEIN as titular director did not occupy the same rank
as Herr H. FLIGER. Herr Dr. Theodor FLISCHGER (the former
General Director of Griesheim-Elektron), who devoted special
interest to the Verkschaftsgemeinschaft (sales combine)
Chemikalien after the amalgamation as member of the Ver-
waltungsrat of I.G. Farben, as far as I remember regarded
Herr H. FLIGER as the successor of Herr WEBER-ANDREAS until
he died (January 1930), and I believe that until that time,
Herr WEBER-ANDREAS and Dr. EURL did not think differently.

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Owing to Herr WEBER-ANDREAE's authoritarian manner, Herr HAEFLIGER's powers were constantly limited. Even if he was away on a business or a private trip, Herr WEBER-ANDREAE kept a firm hold on the management, received written and telephone reports daily, made arrangements for discussions with his men even abroad and returned for decisive meetings. In spite of all his efforts, Herr HAEFLIGER also did not succeed in becoming a member of the Chemical-Committee until Dr. Gustav PISTOR left the Vorstand at the end of 1937 and entered the Aufsichtsrat. Neither his being made a member of the Committee on Chemicals, nor the fact that in 1938 he became a regular member of the Vorstand, like all other acting members of the Vorstand, changed anything in HAEFLIGER's subordination to Herr WEBER-ANDREAE. In the Committee on Chemicals as well, he always played second fiddle to WEBER-ANDREAE, who was chairman of this committee and of the Verkaufsgesellschaft (Sales Combine) Chemikalien. (Since in the first years following the founding of the Committee on Chemicals - 1926 - I kept the minutes and later also collaborated many times in Herr WEBER-ANDREAE's preparatory work for the meetings and in editing the minutes, I can also make a judgment concerning the period before my entry in the Committee on Chemicals - beginning of 1944 -)

3. The personal relationship between Herr WEBER-ANDREAE and Herr HAEFLIGER was good, as far as I remember, until the death of Herr Dr. FLIENINGER and in the first period after his death as well, since Herr Dr. FLIENINGER and Herr Dr. BUHL by their conciliatory manner immediately allayed all tensions which arose.

When gradually, then, the friendly relationship became disturbed, the basis for this in my opinion, lay chiefly in the various natures of the characters and opinions of the two. Herr WEBER-ANDREAE with his uncommonly great and quick capacity for work, was accustomed to prepare his discussions carefully down to the smallest detail, and was inclined to make decisions himself even in less important questions which were somehow submitted to him, or at least to require a thorough discussion of the matter between the department leaders and himself, instead of leaving them to those men to be carried out. Herr HAEFLIGER preferred to depend upon his intuitive gifts which even in the most difficult situations enabled him to find an often surprising way out; Herr WEBER-ANDREAE's well-meant interference in his sphere of work he felt more and more to be disturbing.

4. The sphere of work of Herr HAEFLIGER constituted from the beginning on the greater part of the inorganic chemicals, to which the metals were soon added as well. When at the beginning of the war, Herr HAEFLIGER moved to Berlin, he relinquished the inorganic chemicals by degrees to Herr v. REIDER and limited himself more and more to the field of metals.

In the field of metals, Herr HAEFLIGER had in the persons of Herr Albert MEYER-KUESTER, who handled ferrous alloys, nickel, ferropentacarbonyl, pure magnesium and metallic cerium for ignition purposes

(page 3 of original)

(in addition to construction materials and precious stones) and Herr Oskar ZIEGLER, who directed the sale of electron metal and other magnesium alloys from Bitterfeld, two department chiefs very intent upon their independence, who were not at all willing to report to him in detail about the current business. Apart from this, the metal company had the sale of aluminum for the Bitterfeld aluminum plant which belonged 50% to I.G. Farben and 50% to the metal company.) In particular, Herr ZIEGLER regarded Herr WEBER-ANDREAE as the decision superior whose support he always sought in differences of opinion with Herr HAEFLIGER.

As far as I can see, Herr HAEFLIGER's activities in the sphere of work of Herr ZIEGLER were limited to special duties, as for example:

Negotiations concerning the liquidation of the Electron Metals Corp. of America, New York (1926);

Negotiations concerning I.G. Farben's relinquishing its right of option in the American Magnesium Corp. (1927)

Negotiations concerning the disposal of the Electronmetall B.G.B.R. in Stuttgart-Osnatzt (1932);

Negotiations concerning the founding of Nordisk Leichtmetall;

Negotiations concerning the founding of Westfaelische Leichtmetallwerke Norf;

Disagreement with Bergheus concerning Rackwitz;

Negotiations concerning taking over Metallguss A.G. Leipzig.

Herr WEBER-ANDREAE had regarded the participation in the Societa Anonima Magnesio Italiano Salcis "Saris" Turin, as his special field. When Herr HAEFLIGER became a member of the Aufsichtsrat of this company after the death of Herr WEBER-ANDREAE, this remained only a matter of formality, since the technical questions were handled very independently by Dr. BUEHL, Aken, as were the commercial questions by Herr ZIEGLER.

As far as I know, Herr Dr. BUEHL together with Bitterfeld conducted the negotiations with the Reich Air Ministry and other offices concerning Aken and Stassfurt and the contract with the Reich Air Ministry without Herr HAEFLIGER.

5. In summary I would like to outline the position of Herr HAEFLIGER in the Verkaufsgemeinschaft Chemikalien as follows:

Herr HORSTMANN and Herr HOLM, after they had joined the Verkaufsgemeinschaft Chemikalien, were on the same level as Herr HAEFLIGER. When in about 1930 I returned to sales from the Management Department Chemicals, I was

(page 4 of original)

subordinate only to Herr WEBER-ANDREAS, thus on the same level with Herr HAEFLIGER, together with the larger part of my sphere of work, Sales Department. It may be that Herr WEBER-ANDREAS was even then using the expression the "four pillars" which he often used. (When Herr HOLM resigned at the end of 1931 and his sphere of work was divided between Herr HAEFLIGER and Herr HORSTMANN, there were at first only three pillars left, until about 1938 Herr BORGARDT assumed an independent position on the same level as Herr HORSTMANN and thus there were "four pillars" until Herr HORSTMANN's death. In spite of a certain independence on the part of Herr Ludwigs, Herr WEBER-Andreas spoke only of "three pillars" from that time on.)

On the whole, Herr HAEFLIGER's sphere of work remained the field of metals, and the larger part of the inorganic chemicals, until after his moving to Berlin he gradually relinquished the inorganic chemicals to Herr v. HEIDER.

6. In the current business of inorganic chemicals, Herr HAEFLIGER always allowed the department chiefs the greatest independence as far as they were subordinate to him. In the main he used to take an interest only in the products for which there were international agreements, in order to be up-to-date on the periodically recurring international meetings. Herr HAEFLIGER had always been a specialist for the organization and supervision of numerous international conventions which for the most part could be either convened or dissolved at short notice. There had been conventions in this field for many individual chemicals for a long time, and they could be traced back in part to the period before the first world war. These conventions - to which, by the way, no essential importance was attached within the totality of I.G. Farben - were, as has been said, Herr HAEFLIGER's special field of activity and he had a special preference for them. They demanded his frequent presence abroad. Naturally, with the outbreak of war, this special field came to an end and this circumstance may also have contributed to the fact that he withdrew to Berlin and gradually relinquished the inorganic chemicals of his sphere of activities to us.

7. When Herr WEBER-ANDREAS died in 1943, Herr HAEFLIGER did not become his successor, but Herr Dr. v. SCHNITZLER, both as chairman of the Committee on Chemicals, as well as the director of the Verkaufsgemeinschaft Chemikalien. Herr HAEFLIGER was, of course, his deputy, but in a private agreement between Dr. v. SCHNITZLER, HAEFLIGER, BORGARDT and v. HEIDER it was determined that Herr BORGARDT and Herr v. HEIDER should be independent to an extensive degree and that Herr HAEFLIGER's representation of Herr Dr. v. SCHNITZLER should be confined to representing him in the Vorstand meeting and to cases of representing the Verkaufsgemeinschaft Chemikalien before the public. Moreover, for all questions of importance, the Committee on Chemicals,

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of which from the beginning of 1944 on Herr BORCHARDT and Herr v. HEIDER in addition to Herr HAEFLIGER were members, had jurisdiction.

8. In confidential matters we deliberately exercised discretion before Herr HAEFLIGER, who did not always "keep his mouth shut" and who did not acquire German citizenship in addition to his Swiss citizenship until during the war, so that Herr HAEFLIGER was often not completely informed or not at all informed even about confidential matters in his own sphere of work. In addition, I can confirm the fact that Herr MEYER-KUESTER, who as department head under Herr HAEFLIGER handled, among other things, the field of ferrous alloys, nickel, ferropentacarbonyl and pure magnesium, reportedly told me that in accordance with the well-known Fuehrer Decree No. 1 (concerning secrecy) he did not consider himself justified in giving Herr HAEFLIGER as a foreigner an insight into armament questions. I myself as Defense Deputy, a post to which I was appointed around the year 1938, exercised discretion in confidential matters before Herr HAEFLIGER: in particular, I never informed Herr HAEFLIGER concerning the munitions products sold by Department 2 under a false name (to which action, for example, the deliveries to Dyhernfurth belonged).

9. The so-called mobilization plans (Mob-Pläne) of the plants were not made accessible to the Vertriebsgemeinschaft Chemikalien at all, since - as far as I know - they were forwarded directly to the plants.

10. The individual sales companies of I.G. Farben were completely independent of one another and self-sufficient. If overlappings of areas of work occurred, as for example in certain auxiliary substances for the textile industry, the limitations were fixed in negotiations between the two sales companies in question.

(signed) Karl v. HEIDER
KARL v. HEIDER

Document Book I HAEFLIGER
Document No. 13

(page 6 of original)

The above signature in his own handwriting
acknowledged by me of Karl v. HEIDER, residing in
Frankfurt a.M., Grillparzerstrasse 83, was performed
before me, Wilhelm REMMERT, LL.D. Notary, 13 January
1948 in Frankfurt am Main, and is hereby certified and
attested by me.

(signed) Dr. REMMERT
Dr. REMMERT

Notary public.

No. 12 of the Document Register for 1948

Bill of Costs:

Value: RM 3,000.--

Fee Paragraphs 26, 39 RKO	Rm 4.--
Turnover Tax 1%	" -.12
	<u>Rm 4.12</u>

(signed) R.
Notary public.

The verbatim and true copy of the above document
is hereby certified.

((signed) Dr. Wolfram v. METZLER
Attorney-at-law

THE SWISS CONSULATE
FRANKFURT/MAIN

Frankfurt/Main
Myliusstrasse 20
Telephone 78486

The Swiss Consulate in Frankfurt submits
the following statement concerning
Paul HAEFLIGER
in the trial against the I.G. Farbenindustrie A.G.
to the Military Tribunal of the United States of
America in Nuernberg.

1. Herr Paul HAEFLIGER was born on 19 November 1886 at Steffisburg/Switzerland. By descent he is a Swiss national and has up to this day never renounced his citizenship. On 29 January 1946 a Swiss pass with the number 995951/XXV was last issued to him, which is still in HAEFLIGER's possession today.
2. Because of the geographic proximity of Germany and Switzerland, the close economic and many fold relationship bonds, large number of Swiss people have always lived in Germany, and vice versa also many Germans have lived in Switzerland. During the National Socialist era and during the war many Swiss people returned home from Germany.
The return migration would have been much larger,

(page 25 of original)

if the foreign currency laws had not closely restricted the taking along of property. Therefore, especially Swiss People in high positions were induced to stay in Germany. But because of their position, these people were requested to accept German citizenship and a more or less direct pressure was exercised towards this end. This is the reason why many Swiss nationals- among these also Herr Paul HAEFLIGER were granted German citizenship without renouncing their Swiss citizenship.

Frankfurt/Main 23 February 1948

THE SWISS CONSUL:

Seal:

signed: HOCHSTRASSER
(HOCHSTRASSER)

- - - - -

I, Attorney at law Helmuth HENZE, hereby certify, and attest that the above signature of Herr Konsul HOCHSTRASSER, Swiss Consulate Frankfurt/Main was affixed here in my presence.

Frankfurt/Main 23 February 1948.

signed: Helmuth HENZE
Attorney-at-law

Affidavit.

I, Helmuth BORGWARDT, residing at Frankfurt/Main, Braunheimerstrasse 133, having been duly warned that I make myself liable to punishment if I make a false affidavit, declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

In 1919 I joined the I.G. Farbenindustrie A.G. (predecessor Chemische Fabrik Weiler-Meer Uerdingen). In 1931 I became a Prokurist and was subordinate to HOLM (for titanium white, lithopone, auxiliary substances for rubber industry) and to HORSTMANN (for ethylene glycol and chlorinated hydrocarbon). After HOLM left about the turn of 1931/32, HORSTMANN became my chief in all these fields of work. In 1937 I took charge of the sales of plastics, also as subordinate of HORSTMANN. In 1939 when WEBER-ANDREA became my immediate superior I transferred some fields of work, i.e. ethylene glycol, chlorinated hydrocarbons, titanium white lithopone, to HORSTMANN. After HORSTMANN's death in 1941 I again took over these last mentioned branches. WEBER-ANDREA still remained my immediate chief. After WEBER-ANDREA's death towards the end of 1943 I took over the whole field of organic chemicals; in the course of a reorganization HAEFLIGER-metals, v. HEIDER inorganic chemicals, Borg-

Document Book I HAEFLIGER
Document No. 15

wardt-organic chemicals, all three were under von SCHNITZLER, I never was subordinate to HAEFLIGER. Neither HOLM nor HORSTMANN were subordinates of HAEFLIGER's but worked on the same level, so that Haeffliger held no responsibility for their fields of work; also, during the absence of WEBER-ANDREAE, they did not regard him as their superior.

Herr WEBER-ANDREAE was absolutely in charge of the management of the sales combine chemicals. He discussed the management matters with the department chiefs and/or the group leaders HAEFLIGER, HOLM and HORSTMANN. He was the main representative for sales problems in the Chemicals committee, and he had a decisive voice in these matters if other members of the sales combine were present and made their reports.

Sales Combine Chemicals matters were generally decided by that corporation itself, and/or by the Chemicals Committee within the limits of its competency. New production lines had to be approved of by the Technical Committee (credit appropriation); the most important questions were dealt with in the session of the Vorstand. According to my experience it was the general practice in the I.G. that the various Vorstand members managed their subordinate sections very independently. The other members of the Vorstand did not interfere as long as the interests of their field of work were not touched.

Since 1943 I was a member of the Chemicals Committee and regularly attended its sessions; before 1943

Document Book I HAEFLIGER
Document No. 15

I attended on request, when matters of my field of work were dealt with.

I did not take part in the setting up of the so-called Mob plan, and also do not believe that the other commercial employees, not even those in leading positions, took any part in it.

Frankfurt/Main 1 November 1947

signed: Helmuth BORGWARDT
.....
(Helmuth BORGWARDT)

No. 559 of Doc. Reg. 1947

I herewith officially certify the above signature, affixed before me, of Herr Helmuth BORGWARDT, Commercial employee, Frankfurt/Main, Praunheimerweg 133.

Frankfurt/Main 1 November 1947 .

signed: Dr. REMMERT
(DR. REMMERT)
Notary.

Seal:
Dr. Wilhelm REMMERT
Notary in Frankfurt/Main

Computation of fees:

Value: RM 3.000.-

Geb. Par. 26,39, RKO-	RM 4.--
turnover tax 3%	0.12
total	RM 4.12

Notary.

Affidavit

I, Wilhelm E. KEMP, residing Oberursel am Taunus (Hesse.), Liebfrauenstrasse 44, have been duly warned that I make myself liable to punishment if I make a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence before the Military Tribunal No. VI in the Palace of Justice Nuernberg, Germany.

Beginning 1930 I was under Herr P. HAEFLIGER in charge of Department G of the I.G. Farbenindustrie A.G., sales combine chemicals, which was engaged in selling tanning material, especially bichromates. As a close fellow-worker of Herr HAEFLIGER I describe my personal impression of his position within the sales combine for chemicals as follows: The chief manager of the sales combine for chemicals was Herr WEBER-ANDREA, who died in 1943. Herr WEBER-ANDREA administered the sales combine in such a way as to reserve for himself the final decision in all matters of greater importance. The organization of the sales combine was as follows: three gentlemen, each of whom was in charge of several departments, were subordinated to him; about the year 1931 they were HAEFLIGER, HOLM and HORSTMANN; later Herr von HEIDEN joined them. After the death of Herr HORSTMANN in 1941, Herr BORGWARDT got his position, the former sphere of work of Herr HORSTMANN at the same time being enlarged. I still recollect clearly that Herr WEBER-ANDREA spoke about his three or four pillars upon which he relied. The above mentioned gentlemen had equal responsibility, without one of them being superior to the others. In spite of this circumstance Herr WEBER-ANDREA, however, held the management of the sales combine strongly in his hands. It is characteristic in this respect that he interfered with the current business of the

(page 30 of original)

individual departments by having extracts made for purposes of double-checking of the incoming mail and by asking the individual department leaders to come to direct, personal discussions on the basis of these extracts. Thus it happened that in spite of the above described organization of the sales combine for chemicals Herr WEBER-ANDREAE frequently, without consulting the above three or four gentlemen, discussed questions of the current business with the chiefs of individual departments to whom also I belonged, or went to meetings with the individual department chiefs, for instance with me, without e.g. consulting Herr HAEFLIGER. Herr WEBER-ANDREAE and Herr HAEFLIGER gave me as department leader full freedom in questions regarding current business, i.e. the general sales, and only wished to have submitted to them important convention matters.

As regards the relationship between Herr HAEFLIGER and Herr WEBER-ANDREAE, I can state from my own observation that I always had the decided impression that Herr HAEFLIGER always recognized, Herr WEBER-ANDREAE's authority and left to him the final decision.

In summarizing I wish to describe my impression concerning Herr HAEFLIGER's position as follows: the gentlemen working under him were of the opinion that the chief manager of the sales combine for chemicals was Herr WEBER-ANDREAE and that Herr HAEFLIGER was not generally regarded as his representative: especially the above mentioned gentlemen HORSTMANN, HOLM and later von HEIDER and BORGLARDT would in the absence of Herr WEBER-ANDREAE not have consulted Herr HAEFLIGER if a decision on principle was involved.

Frankfurt/Main 7 November 1947

signed: Wilhelm E. KEMP
Wilhelm E. KEMP

The above signature of Herr Wilhelm E. KEMP, residing
Oberursel am Taunus, (Hesse), Liebfrauenstrasse 44, given
in his own writing before me Dr. Jur. W. REMMERT, Notary
in Frankfurt/Main on 7 November 1947 is hereby certified
and witnessed by me.

Frankfurt/Main 7 November 1947

signed: Dr. REMMERT
Dr. REMMERT
Notary.

No. 569 of the Document Register for 1947

Computation of costs:

Value: RM 3.000.-

Fees according to art. 144, 26, 39 of the

Reich Rees Regulation RM 4.--

Turnover tax 3% 0.12

total RM 4.12

signed: Dr. REMMERT
Dr. REMMERT
Notary.

The verbatim and true copy of the document is hereby certi-
fied.

Dr. Wolfram v. Metzler
Dr. WOLFRAM V. METZLER.

Frankfurt/Main 1 December 1947

Affidavit.

I, Bodo SCHAAF, residing at Frankfurt/Main, Kroegerstrasse, 11, have been duly warned that I make myself liable to punishment if I make a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence before the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

The sales combine for chemicals was in business respects managed by Dr. WEBER-ANDREAE, who had the position of a Generaldirektor, as it were. Dir. HAEFLIGER was subordinated to Herr WEBER-ANDREAE. Some sales departments belonged to his sphere, among them Department S of which I had been in charge. In addition to Dir. HAEFLIGER there were other sales group chiefs: Herr HORSTMANN, Herr v. HEIDER, Herr BORGWARDT to whom also a number of departments were subordinated. The chiefs were coordinated under Herr WEBER-ANDREAE. In important matters Herr HAEFLIGER was subject to the decision of Herr WEBER-ANDREAE. Herr WEBER-ANDREAE had reserved to himself the final decision which frequently even extended so far that he carried on discussions directly with the individual department chiefs and made decisions even in the absence of Herr HAEFLIGER.

signed: Bodo Schauf
BODO SCHAAF

Document Register No. 468 Vol. 1947

The above signature of Herr Bodo SCHAAF, residing in Frankfurt/Main, Kroegerstrasse 11, given in his own writing before me, Dr. W. GENTZSCH, Attorney at Law and Notary, on 5 December 1947 in Frankfurt/Main, is hereby certified and witnessed by me.

Frankfurt/Main 5 December 1947

signed: Wilhelm GENTZSCH
WILHELM GENTZSCH.

Stamp: WILHELM GENTZSCH
Notary in Frankfurt/Main

Computation of Costs:
Reich Fees Regulation of 25 November 1935
Value: RM 2.000.-
Fees Art. 144, 25, 39 RM 3.00
Additional Fee Art. 62
writing costs Art. 138, 152
Mail charges Art. 138, 152
Turnover tax 3% RM 09
total RM 3.09

signed: Wilhelm GENTZSCH
Notary

The verbatim and true copy of the above document is hereby certified.

Dr. WOLFRAM V. METZLER
Attorney at Law.

Affidavit

I, Wilhelm Michael SCHNEIDER, Frankfurt/Main, Eschersheim, Lindenring 37, having been duly warned that I make myself liable to punishment if I make a false affidavit declare under oath that my statement is true and was made in order to be submitted as evidence before the Military Tribunal No. VI, Palace of Justice, Muenberg, Germany.

I refer to my affidavit of 5 November 1947, Doc. Reg. 301/47 of the notary Erwin ZECHER, in Frankfurt/Main in which I have described my position and my work in the I.G. Farben sales combine chemicals, and which described the close contact into which my work brought me with Paul HAEFLIGER. These contacts enable me to make a statement about Herr HAEFLIGER's position in the sales combine chemicals of the I.G. Farben.

Even in 1923, and from then on to an ever increasing degree, I was in contact with Herr HAEFLIGER and was able to form an opinion about his position and also about his situation within the I.G. Farben. Although I worked under Mr. HAEFLIGER's supervision, the leader of the sales combine chemicals, Herr Eduard WEBER-ANDREAE, had always insisted upon personally dealing with all those business matters which seemed important to him, and to provide me with authoritative directives for their handling. Therefore, the whole affairs of the sales combine chemicals was permeated with the spirit of Herr WEBER-ANDREAE and the principle was upheld not to make any important decisions without him. They at least had to be approved by him afterwards which proves that he had an indirect influence also on these matters i.e. that they had to be treated according to his viewpoints. The way in which he used to exercise his control is shown by the fact that he had a go-between making confidential lists for him about all important incoming mail and that he obtained for himself in such a way all possible information, that is to say that on the basis of this double-checking he could at any time intervene in pending matters. He was in his attitude, even though he pretended that that was not the case, a definite adherent to the leader-principle and possessed autocratic manners. This shows that Herr HAEFLIGER was never able to act as a regular member of the "Vorstand" in the sales combine chemicals. Herr WEBER-ANDREAE has always considered himself to be its leading businessman and, to my opinion, would never have allowed Herr HAEFLIGER become a regular member of the "Vorstand", if the legal member of the "Vorstand" had not, at that time, informed Dr. BUHL that according to some existing law, the status of a deputy member of the "Vorstand" did not exist any longer. Accordingly, all deputy members of the "Vorstand" were at that time nominated regular members of the "Vorstand", and among them also Herr HAEFLIGER, without, however, improving his position in the management.

Even before 1939 the work of Herr HAEFLIGER was even reduced as he was deprived of his right to exert an influence on various departments which were put under the supervision of other gentlemen. To my knowledge these were departments A, B and Z, (he had never any decisive influence on department L anyway).

Therefore, at the time of the outbreak of the war there were actually only departments C, G, H, and S left under Herr HAEFLIGER's charge.

At the time of the outbreak of the War Herr HAEFLIGER moved to Berlin and his sphere of activity was then restricted to department H, whereas the other spheres were taken over by those gentlemen who stayed on in Frankfurt: Herr SCHNEIDER (Dept. C) KIEP (Dept. G) and SCHAEF (Dept. S) under direct supervision of Herr WEBER-ANDREAE. As far as I remember Herr v. HEIDER had already been assigned to Herr HAEFLIGER before the outbreak of war, for Depts. A, B and Z. After the death of Herr WEBER-ANDREAE in 1943 Herr v. HEIDER was also appointed chief (Oberleiter) of departments C, G, and S.

Summarizing I should like to point out that work with Herr HAEFLIGER was always conducted on a purely friendly basis, there was nothing autocratic about him and he allowed me complete freedom in dealing with routine matters; he dealt with, or discussed with me only very special matters the handling of which required high intelligence and experience as well as the important agreement-questions.

Frankfurt/Main 5 November 1947

signed: Wilhelm Michael SCHNEIDER
WILHELM MICHAEL SCHNEIDER

Document Register No. 302, year 1947

The above personal signature, of WILHELM MICHAEL SCHNEIDER, Frankfurt/Main, Eschersheim, Lindenring 37, by me recognized, was given before me, notary public Erwin ZECHER, on 5 November 1947 in Frankfurt/Main and is herewith certified and witnessed by me.

Stamp:
ERWIN ZECHER

signed: Erwin Zecher
ERWIN ZECHER
Notary.

Notary public in Frankfurt/Main

Certified true and verbatim copy of the above document.

Dr. Wolfram v. Metzler
Dr. WOLFRAM V. METZLER.

Document Book I HAEFLIGER
Document No. 19
(v. SCHNITZLER document No.....)

AFFIDAVIT.

I, Karl v. HEIDER, residing at Frankfurt/Main, Grillperzerstrasse 83, have been duly warned that I make myself liable to punishment by making a false affidavit. I declare on oath that my affidavit is true and has been made in order to be submitted in evidence before the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

The defense counsel Dr. v. METZLER of the defendant Paul HAEFLIGER, showed me, in connection with the two affidavits which I made with regard to the functions of the Commercial Committee of the I.G. Farben (document NI 5177 exhibit No. 374) and NI 7318 (exhibit No. 312) and my testimony as witness before the Nuernberg Tribunal on 2 and 3 October 1947. (Official Transcript, pages 1601 to 1655), a letter, which the defendant Dr. Georg v. SCHNITZLER addressed on 12 August 1937 to the chairman of the Aufsichtsrat (Document NI 653, exhibit No. 361, document book XIII/166).

I quote from this letter the following lines:

"Because of the time element, our plenary I.G. Farben meetings, which nowadays-in full agreement with all participants- take place in such a very concentrated manner, never afforded us sufficient opportunities to discuss the problems indicated here

(Page 2 of original)

quite generally, with the commercial directors in such a detailed manner, as it was tried and sometimes even effectuated under less complicated conditions. In former years, such detailed discussions, however, have become a necessity to day."

"It has become increasingly clear that in addition to the current commercial tasks of the individual "Sparten", which can be dealt with in their own jurisdiction, problems of a character over and above the competency of the "Sparten" have come up in the purely industrial-economic as well as politico-economic and financial-political fields, which either are generally valid for the I.G., or which are of such a nature as to influence the interests of a different "Sparte" outside of the one directly concerned".

The letter mentions as such points:

- Control of foreign exchange
- Clearing,
- Compensation transactions
- Export promotion,
- raw materials procurement
- Relations with the large competitors in foreign countries. Among others, the following were named: I.G.I. Dupont, Montecatini and the entire french chemical industry,

(page 3 of original)

and the activity of the foreign representations of the I.G. Farben. Herr v. SCHNITZLER mentioned further that the gathering was contemplated as an "informal" one.

I cannot find any discrepancies between the contents of this letter and my above mentioned statements and would like, therefore, to make the following remarks in addition to those statements, concerning the creation of the Commercial Committee, which was formed from the above mentioned informal meetings, and also about its powers. As in consequence of the control of economy and of foreign exchange, and the more and more perceptible interference of the state in industrial life, a series of general problems arose, which influenced all sales combines of the I.G. Farben, the need for regular meetings of leading businessmen, such as had taken place already before but only from time to time, became pre-eminent. The directors of the sales combines decided therefore in summer 1937 to convene at regular meetings.

This fact was conveyed to the chairman of the executive board in Dr. v. SCHNITZLER's above-mentioned letter of 12 August 1937. After Herr v. SCHNITZLER obtained the consent of the chairman for these meetings, they subsequently took place regularly and this group later adopted the name

(page 4 of original)

"Commercial Committee". The "Commercial Committee" never had any by-laws, nor were the latter necessary by its very nature. The principle of sovereignty always applied for the interests of the sales-combines. Thus they were autonomous enterprises. It is significant too that the concern still calls itself even now "I.G.", which means "Interessengemeinschaft".

The difference to former times, when the "Interessengemeinschaft" consisted of judicially independent single firms, is merely that, that after the merger in 1925 the individual sales territories of the firms were consolidated with the result that the impossible condition that each firm sold dyes, chemicals, nitrogen-products, pharmaceuticals, photographic articles etc., which ultimately lead to an economically unbearable parallel work and financial excess overhead, came to an end, instead of the commercial machinery of the individual firms the sales combines were established, that is, Sales Combine, Dyes, Sales Combine Pharma, Sales Combine Photo, Nitrogen-fertilizers had been sold by the Nitrogen Syndicate since 1919. Fuels and oils had not yet been manufactured by 1925. Each of these Sales Combines had its own representations.

The Sales Combines were very intent upon not permitting any kind of interference in their sales organizations.

(page 5 of original)

This principle was adhered to until the very end. It was also not infringed upon by the creation of the Commercial Committee (K.A.). The K.A. had no authorization whatsoever to intervene in the individual activities of the Sales Combines, and it did not try to do so. Its competencies could be described as negative ones. For instance, it would have been impossible for the K.A. to dictate to a Sales Combine to dissolve its representation abroad or to consolidate it with the representation of a different Sales Combine. Likewise, the K.A. could not resolve that a convention or cartell agreement of a Sales Combine was to be renewed, extended or even discontinued. Such problems were not even submitted to the K.A., and if they had been submitted, then only for consultation purposes. It would have been wholly inconceivable that for instance the Sales Combine Dyes would have submitted the problem of the acquisition of the French firms to the K.A. for its decision. A report about this transaction could have been made to the K.A. only for its information, or in order to obtain some advice from this committee. If however, a subject would have been dealt with within the K.A., which reached beyond the scope of sales activities, then the chairman delegated other I.G. Farben executives to such discussions. As proof of this fact, the meeting of 28 June 1940 may be mentioned, in which the attitude of the I.G. Farben, requested by the Reich Ministry of Economy concerning

(page 6 of original)

the so called "New Order", was to be discussed, and to which a large number of Sales Combines representatives and some members of the Central Committee not belonging to the K..., had been invited.

Neither could the K... intervene in personnel matters, but could only make recommendations. Many more such examples could be cited. The K... was in no way competent for such problems, which belonged directly to the business management of the individual Sales Combines -which ultimately were the corporations handing down the decisions for the current sales business-. The autonomy of the Sales Combines was embodied in the person of the responsible director of the Sales Combine and the corporations (Gremien), which existed within the various combines, and which were set up according to the individual character of the combines, as for instance the Dye Committee, the Chemie, the Boyer conference of directors, the Kraft conference of directors etc.

No I.G. Farben Sales Combines existed for nitrogen products, gasoline, and oils.

Concerning the general commercial, financial and industrial-functions for which the I.G. Farben Berlin NW 7 was competent, the following was written into the record of the first meeting of 20 August 1937 of the newly established K...:-:

Document Book I HAEFLIGER
Document No. 19

(page 7 of original)

"Whereas the tasks carried out by the Central Offices at Berlin represent to a predominant part chief auxiliary functions in the general commercial and industrial fields, a close collaboration has come about in the past years with the individual Sales-Combines and firms of the concern. Out of the necessity to devote more attention to all these tasks in view of the present lack of raw materials and foreign exchange, the need arose to bring about a still closer contact for the future".

26 January 1948

(signed) Karl v. HEIDER

(Karl v. HEIDER)

The above signature of Karl v. HEIDER residing at Frankfurt/Main; Grillparzerstrasse 83 has been affixed before me, Dr. Walter BACHEM on 26 January 1948 at Frankfurt/Main and has been confirmed by me, which fact is herewith certified and attested by me.

(signed) Dr. Walter BACHEM

(Dr. Walter BACHEM)

The verbatim and true copy of the above document is herewith certified.

Dr. Wolfram von METZLER
Attorney-at-law

Page 42 of original
Frankfurt (Main) 21 February 1948

A F F I D A V I T

I, Karl v. Heider, Frankfurt (Main) Grillparzerstrasse 83, former commercial acting director of the sales combine Chemicals of the I.G. Farben, having been duly warned that I make myself liable to punishment if I make a false affidavit, declare under oath that my statement is true and was made to be submitted as evidence before the Military Tribunal No. VI in the Palace of Justice, Nürnberg, Germany.

In my affidavit of 17 February 1948 I stated that Herr Eduard Weber -Andrese, director of the sales combine Chemicals for many years, submitted his reports in the Vorstand from the point of view as to what questions would awaken interest in those circles outside of the narrow realm of the sales combine Chemicals, and not with the intention of making the other members of the Vorstand, who had nothing to do with chemicals, co-responsible in those matters which occurred within the sales combine Chemicals, but rather to bring about a dovetailing of the entire policy in questions of general interest, such as, for example, the relationship with the leading foreign chemical firms.

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I am asked by the defense counsel of the defendant Paul Haeffliger, Dr. v. Metzler, attorney-at-law, to what extent I consider it feasible, in consideration of the extent and versatile character of the business affairs of I.G. Farben that a member of the Vorstand could form a judgment about a matter, which had to do with other fields of the I.G. Farben not in direct connection with his own particular field, as to the expediency and correctness of the respective measure taken, and thus bear on actual responsibility.

Since I was not a member of the Vorstand, I can on the whole only pass judgment on the basis of the one sales combine Chemicals. This branch comprised by the end of 1944

approximately	1,400 main products
to which must be added the sub.divisions	
(e.g. solid substances and lyes)	
approximately	3,200 products

thus making a total of approximately
4,600 sales products
not including the many-by-products manufactured for
I.G.'s own personal use.

Apart from a few products which were sold directly for general use, these products were delivered as raw materials and by-products to other industries, as a matter of fact to almost every conceivable industry, even including brick works, and to agriculture. They were all completely different, according to their nature:

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they comprised cheap mass-produced articles, which sold by the thousands of tons, such as high quality products sold in packages weighing a few grams (e.g. flints for cigarette lighters), they comprised inorganic and organic chemicals of the most diverse nature, likewise light metals and metals for the manufacture of high grade steel, clay dyes, such as synthetic tannic acids, reagents, varnish raw materials and plastics, flotation agents and solubles for the mining industry, such as gases and apparatus for automatic welding and cutting, synthetic rubber such as anti-corrosion agents and accelerators for the rubber industry, conservation agents for foods and wood, fireproof agents, water purification agents and many more sundry products. The sales of the sales combine increased - mainly through the development of other fields- from about 220 millions in 1930 to about 485 millions in 1938 and to about 1,425 millions in 1943. In addition to the actual sales and the attendant problems (such as price policy, introduction of new products, tariffs, freighting price agreements, syndicates, shutting down agreements, sales promotion domestic and foreign sales organization) there were the problems of raw materials procurement, manufacturing processes, foreign and domestic patents and brand names, acquisition and sale of licenses, collaboration agreements, acquisition of property sites and leased territories for mines packing problems ranging from a paper sack to tank cars and sea-going

Page 45 of original

chlorine tank ships, taxes, participations and corporation foundations, both foreign and domestic, in short decisions concerning all problems of business life of an almost incomparable versatility. There were on file more than 3,000 chemical agreements in the Legal Department Chemicals.

It is therefore not surprising that the daily agenda for the Chemical Committee ("Chema") meetings contained on the average up to 72 subjects or at least 30, and it required the intense assiduity of decades the clear, quick reasoning, and the fabulous memory of a Weber-Andreas, to have really a true picture of this field. Even the chemical committee was for that reason an agency which only in few cases really discussed the problems, in general, however, only could decide such with a "yes" "no", or "referred back for subsequent discussion." Even the chemical committee was only an agency which could cursorily consider that which the director of the commercial department together with the competent engineer, in consultation with a legal man and experts in patent, accounting, and tax matters, had previously discussed, almost only from the point of view of general policy and general technical and commercial experience, who however by his decision gave a vote of confidence to the individual competent parties, which differed

from a vote of confidence of a parliament for the government only insofar as it was expressed by a corporation of expert and experienced men in this particular field.

As I stated in my interrogation before Mr. George S. MARTIN, Office of U.S. Chief of Counsel for War Crimes (Doc. No. NI - 7318, Exhibit 312), the Commercial Committee of the I.G. Farben (usually called "K.A.") was a coordination committee for commercial problems which were of general interest for all or the majority of the sales combines and other commercial offices of the I.G. Farben. The "K.A." was informed of all problems in the field of the sales combine, which were of interest to at least the majority of the members of the "K.A.", nor for the purpose of requesting a decision or approval, but simply for the purpose of information. Approval was requested of the Vorstand by the Chem., in commercial questions directly, in technical matters through the Technical Committee (Tou).

It is quite evident that in the 49 meetings of the Vorstand which took place during the 7 years between 28 May 1938 and 7 March 1945, and which never lasted longer than one day, at most only half a day, at which an even increasing limited number of Vorstand members were able in each case to make their reports, hardly more than overall directives could ever be discussed, and particular problems, even when they were per se

of great importance, could be reported on only in such a cursory manner and discussed with such brevity that even an unusually discerning, quick-thinking man thoroughly conversant with chemistry could not consider every possible alternative, so that what I stated above is even more correct: The members of the Vorstand not directly concerned with the matter acknowledged their approval through a vote of confidence given to the participating Vorstand members, but the responsibility for that which subsequently occurred was borne almost 100% by those Vorstand members directly connected with the subject. As to the formal legal question of collective responsibility on the part of the Vorstand, I can offer I no judgment being a layman, but through my position of many years which afforded me a good overall picture of conditions, I became convinced that, in view of the extent of the business of I.G. Farben, collective responsibility on the part of the Vorstand could only be considered if abuses or transgressions against federal and moral laws were discernable from the report of a Vorstand member (or through documentary evidence submitted), and that intentionally or through gross negligence no effort was made to obviate this situation, or a Vorstand member acknowledged to be incompetent or criminal was intentionally or through gross negligence permitted to remain in his position.

Signed: Karl v. HEIDER
(Karl v. Heider).

I hereby certify and attest to the above
signature of Karl.V. HEIDER, residing in
Frankfurt(Main), Grillparzerstrasse 83,
affixed in his own hand before me, Dr.
Wolfram v. METZLER, attorney-at-law,
on 21 February 1948 in Frankfurt/Main.

Frankfurt/Main, 21 February 1948

signed: Dr. v. METZLER

Attorney-at-law

Frankfurt/Main 1 December 1947

Affidavit

I, Bodo SCHAAF, residing in Frankfurt/Main Kroegerstr. 11, have been duly warned that I make myself liable to punishment if I make a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuremberg, Germany.

In an affidavit of 18 March 1947, Herr Dr. Felix EHRLICH states that I took part in discussions on the setting up of Mob plans. I hereby declare under oath that this is inconsistent with the truth. I did not take part in any Mob sessions and I did not know anything of these sessions till the outbreak of the war. I also can not remember that Herr Dir. Paul HAEFLIGER, who was my superior at that time, could have taken part in such sessions.

signed: Bodo SCHAAF
Bodo SCHAAF

Doc. Register No. 456, year 1947

The above signature of Herr Bodo SCHAAF, residing at Frankfurt/Main Kroegerstr. 11, has been certified before me, Dr. W. GENTZSCH attorney at law and notary in Frankfurt, on 25 December 1947 in Frankfurt and is herewith certified and attested by me.

Frankfurt/Main 5 December 1947

Notary signed:
Wilhelm Gentzsch
WILHELM GENTZSCH

(stamp) Dr. jur. Wilhelm GENTZSCH
Notary in Frankfurt/Main

Computation of costs
RKO 25 Nov. 1935

Business value: 2,000.-

Fees Par. 144, 26, 39 3.- RM

Additional Fee par. 62
Writing Fees par. 138, 152
Postal Fees Par. " "
Turnover tax 3% 0.09 RM
total 3.09 RM

signed: Wilhelm GENTZSCH
Wilhelm GENTZSCH
Notary.

Document Book I HAEFLIGER
Document NO.21.

The verbatim and true copy of the above
document is hereby certified.

signed: Dr. WOLFRAM VON HETZLER
attorney at law.

Otto DESSOFF

Frankfurt/Main 23 Febr. 1948

Subject: Affidavit for Herr Direktor HAEFLIGER:

I, Otto DESSOFF, born on 24 July 1901 in Frankfurt/Main residing at Frankfurt/Main Gutzkowstr. 8, have been duly warned that I make myself liable to punishment if I make a false affidavit. I declare under oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal VI in the Palace of Justice Nuremberg, Germany. I was neither a member of the NSDAP nor of any of its affiliate organizations.

From 1933 to 1945 I was employed beginning, as a Prokurist and later as manager, with the Aluminium-Verkaufsgesellschaft m.b.H. in Berlin. The Aluminium-Verkaufsgesellschaft m.b.H. was the central sales organization of the German aluminium foundries.

The production capacity of the German aluminium foundries was:

on 1 January 1930	44,200 t
on 1 January 1933	44,200 t
on 1 January 1935	53,700 t
on 1 January 1936	93,700 t
on 1 January 1937	101,700 t
on 1 January 1938	153,400 t
on 1 January 1939	192,100 t
on 1 January 1940	209,900 t

The boosting of the production capacity was instigated with the aim of establishing self-sufficiency. Far reaching projects were in existence concerning the switching over from copper, brass and tin, which had to be paid for in foreign currency, to aluminium. The output of forged aluminium for purposes of electric connections rose, for example, from 550 t in 1933, to 37, 400t in 1939. In the field of cast alloys the expansion of the automobile production increased demands considerably.

According to the documents at my disposal, concerning the participants in the meetings of the Board of Governors of the Alliance Aluminium Cie. Basel, Herr Direktor HAEFLIGER did not attend any of the meetings.

signed: Otto DESSOFF.

The above signature of Herr Otto DESSOFF, residing Frankfurt/Main Gutzkowstr. 8, certified before me, Helmuth HENZE attorney at law, was performed here in my presence and is herewith certified and attested by me.

Frankfurt/Main 23 February 1948

signed: HENZE
attorney at law.

Case 6
Defense

TRIBUNAL VI

CASE VI

DOCUMENT BOOK II

of

Paul HAEPLIGER

Submitted by Defense Counsel

Dr. Wolfram v. METZLER
Attorney at Law

Long



Index of Document Book No. II

of Paul HAEFLIGER, Case VI,

Documents 23-26, pages 1-84.

HAEFLIGER Exh.No.:
No.:

Contents:

Pages:

23

Affidavit, Attorney at Law Clemens BRENDL, former Director of the Law Department, Ludwigshafen, with attached copy of a report which BRENDL jointly with HAEFLIGER had drawn up on the 11 July 1946 on the instigation of the I.G. Control Office concerning the agreements between the IG, the Mond Nickel Co. Ltd. of London and the International Nickel Co. of Canada, Toronto, (Inco). This report deals with the negotiations between the aforementioned companies and also with the amount of additional special stocks of Nickel-mat supplied by Inco/Mond to the IG. It is stated that at the outbreak of the war the stocks in Germany including these special stocks were sufficient for only 5 months requirement. It is stated furthermore, that the IG made available to the Inco/Mond valuable experiences in the field of production and utilization of nickel, and that even up to a few days before the outbreak of the war. The report shows that the IG cooperated with Inco/Mond on a friendly and international basis up to the outbreak of the war and submitted to England and the USA the most important and modern technological knowledge, without restriction even in 1939.

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Affidavit Attorney at Law Clemens BRENDL concerning the missing of the aforementioned report.

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HAEFLIGER Exh.No.:	Contents	Page:
No.:		
25	<p>Affidavit, Defendant Paul HAEFLIGER containing in part I a short excerpt of the afore-stated report with a few additional notes, and referring in part II to the Pros. Exh. Nos. 725, 724, 721, 722, 683, 726 and 728.</p> <p>It is stated that the memorandum offered by the prosecution as Exh.No. 725 concerning the policy of the nickeltrust has been over-emphasized that this policy had been represented much to strongly, and that the very important IG's services-in-return consisting in the supply of technical experiences have been suppressed in the memorandum. It is declared furthermore, that the building up of a strategical nickel-reserve corresponded to the measures adopted in all countries during the pre-war years and that the German stock-piles were quite modest in consideration of the normal consumption. It is also pointed out that in England a tremendous nickel-reserve had been built up and that, notwithstanding, the IG had made their experiences and assistance available to the Mond Nickel Co. right up to the last days before the war, a thing they would not have done if they themselves had been convinced of war preparations connected with the building up of nickel-reserves.</p> <p>Finally the first paragraph of the prosecution Doc.Book No.39, English page 47, German page 84 is rectified and reasons are shown how this paragraph originated.</p>	32
26	<p>Affidavit Dipl.Engineer Walter SCHUBARDT, former Chemist of IG, Oppau plant, concerning the annual production of nickel in this plant.</p>	68

HAEFLIGER Document Book II

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|----|--|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 27 | | Affidavit Dr. Leo SCHIECHT, former Chemist of the IG Oppau plant concerning the confident and friendly cooperation between the IG and the International Nickel Co. of Canada and the Mond Nickel Co. of London and the disclosing of the entire "know-how" in the field of nickel production. The witness continues to declare that shortly before the outbreak of the war the stocks of nickel were only 2124 tons consisting of Canadian nickel-mat which would have lasted for about 5 months only. | 71 |
| 28 | | Affidavit Dr. Alfred PETERSEN, present President of the Frankfurt Chamber of Commerce concerning the necessity of building up stocks of Canadian nickel-raw material for producing the pure metal under the modern IG process. The witness declares that the building up of reserves in this respect was a matter of economic foresight out of all consideration of war or armament. | 80 |

HAEFLIGER Document Book II

I certify that all documents contained
in this document book correspond
literally to the documents submitted
to the court.

Nuernberg, 1 March 1948

Signed: Dr. Wolfram v. METZLER
Defense Counsel

A F F I D A V I T

I, the undersigned Attorney-at-Law Clemens BRIDEL, resident at Moltkestrasse 33 a, Heidelberg, having been warned that I render myself liable to punishment if I make a false affidavit do hereby declare on oath that my statement is the full truth and was made to be submitted as evidence to the Military Tribunal No. 6 in the Court-house at Nuernberg, Germany.

I make the following statements on oath:

I drew up the report of 11 July 1946 copy of which is attached to this present affidavit on the contractual relations between the I.G. Farbenindustrie Aktiengesellschaft, the Mond NICKEL Company Limited, London and the International NICKEL Company of Canada, Toronto, together with Mr. Paul HAEFLIGER at the premises of the United States Administration Control Office I.G. Farbenindustrie A.G. in Frankfurt on Main-Griesheim in the period from about the middle of June till 11 July 1946. The report is based on the documentary evidence placed at Mr. HAEFLIGER's and my disposal at that time by the aforementioned Control Office in the latter's premises in Frankfurt on Main-Griesheim which is listed in detail on pages 1 and 2 of the enclosed copy of the report.

The report has been made truthfully and in accordance with this documentary evidence. My particulars in this report which were written down from memory or on the basis of estimates have been scrupulously and thoroughly discussed by Mr. HAEFLIGER and myself before being committed to writing. In so doing I have acted to the best of my knowledge and am firmly convinced that this also applies to Mr. HAEFLIGER.

Heidelberg, 8 January 1948.

signed: Clemens BRIDEL
CLEMENS BRIDEL.

(page 2 of original)

Authentication of signature.

I, Notary-Public, Oberjustizrat Dr. CURTIZ, of Notarial Office
I at Heidelberg herewith authenticate and attest the above signature
of Mr. Clemens Wilhelm August BRUNDEL, Attorney-at-Law at Moltke-
strasse 33a, Heidelberg, given in my presence and in his own hand-
writing.

Heidelberg, 8 January 1948.

Notarial Office Heidelberg I:

(signed): illegible.

Oberjustizrat.

Stamp:

Notarial Office Heidelberg

Stamp: Notarial Office Heidelberg.

Stamp: Notarial Office
Heidelberg.

Copy F

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Contractual Relations

between

I.G. FARBEINDUSTRIE AKTIENGESELLSCHAFT
hereinafter referred to as "I.G."

and

MOND NICKEL COMPANY LIMITED, LONDON
hereinafter referred to as "Mond"

and

INTERNATIONAL NICKEL COMPANY OF CANADA, TORONTO
hereinafter referred to as "Inco".

I.

Files on Hand

Files of the Legal Department Ludwigshefen bearing the following labels:

1.	Agreement with Inco	until	31 December 1933	3.5.
2.	" " "	from	1 January 1934	3.5.
		until	30 April 1934	
3.	" " "	from	1 May 1934	3.5.
		until	28 February 1935	
4.	Inco	from	1 March 1935	3.6.
		until	31 May 1935	
5.	"	from	1 June 1935	3.6.
		until	15 January 1937	
6.	"	from	15 January 1937	3.7.
		until	31 October 1937	
7.	"	from	1 November 1937	3.7.
		until	31 March 1938	
8.	"	from	31 March 1938	3.8.
		until	31 October 1938	
9.	"	from	1 November 1938	3.8.
		until	15 May 1939	
10.	"	from	5 May 1939	3.9.
		until	30 April 1940	
11.	"	from	1 May 1940	3.9.

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The International Nickel Company of Canada - Business Reports	3.10
Texts of Agreement "Inco Agreements"	3.10.

agreements with Inco (English text) Reference Copies	3.12.
agreements with Inco (German translation) " "	3.12.
Inco Drafts (of agreements)	3.12.

Files of the Central Office for Contracts Ludwigshafen,
labelled as follows:

Inco-Agreements - Main Agreement	Maincard No. 1284a
Inco-Agreements - Patent Agreement	" " 1285
Inco-Agreements - Supplemental Agreement	" " 1284b
Translations of the Inco-Agreements etc.	" " 1284/85

II.

Statement of the Essential Contents of the Different Files.

The files of the Legal Department, Ludwigshafen, vol. 1-11, contain the entire correspondence relating to the agreements, the texts of the agreements entered into, reports on discussions within I.G. as well as essential data on technical, statistical, and commercial matters. Each of the files has an index cover leaf which had been prepared by the Office of the Legal Department, Ludwigshafen, at the time.

The three volumes of the Legal Department 3.12. contain the texts of the agreements entered into with Inco/Mond in English as well as in German translation.

Volume 3.10. contains the business report of Inco for 1938.

The files of the Central Office for Contracts contain the text of the agreements entered into with Inco/Mond together with a minor part of the correspondence and some other documents, all of which are also contained in the files of the Legal Department, Ludwigshafen, referred to above.

III.

List of I.G. Offices and Units where further Files were kept

(in addition to those of the Legal Dept., Ludwigshafen):

Nickel Work Oppau

Presumably, the major part of the files formerly kept there, was destroyed by the numerous air raids.

(page 3 of original)

Department M, Berlin, Kurfuerstendamm 242

In spring 1944 the office was fully destroyed by an air-raid. The Department was temporarily housed in the office building of I.G., Berlin NW7, Unter den Linden 78, where the remaining files which had been saved,

were stored. A few months later, the Department moved to new quarters at Koethen/Anhalt together with all of the files left.

Buying Department Ludwigshafen,

Liaison Office W, Berlin, Kochstrasse,

Secretariat Director WEBER-ANDREAS, Frankfurt a/M., Gruenbourg.

The files of the Legal Department, Ludwigshafen, have been kept in such a manner that they contain all the data which are of importance for a review of the contractual relations between Inco/Mond and I.G.

IV.

Report.

1. Agreements entered into:

- a) Temporary arrangements between Inco/Mond and I.G. of 10 May 1933 covering the conversion of nickel-copper matte into 150 tons of metallic nickel. (Exhibit 1)
- b) Main Agreement between Mond and I.G. of 28 April 1934 together with: (Exhibit 2)

Letter of guarantee of Inco of 28 April 1934 (Exhibit 3)
Supplemental statement by Mond of 28 April 1934 (Exhibit 4)
Weighing, Sampling, and analysis procedure of 8 December 1934 agreed upon between Mond and I.G. (Exhibit 5)
- c) Agreement between Metallgesellschaft A.G., Frankfurt a/M., and I.G. on the sale of nickel, dated 17 May 1934 (Exhibit 6)
- d) Patent Agreement between Mond and I.G. of 28 April 1934 together with: (Exhibit 7)

Statement of I.G. concerning clauses 1, 2 and 4 of the Patent Agreement of 4 May 1934 (Exhibit 8)
- e) Supplemental Agreement between Mond and I.G. of 4 May 1937 (Exhibit 9)
together with:
Letter of guarantee of Inco of 4 May 1937 (Exhibit 10).

2. History:

When carrying out research-work on the synthesis of motor fuels, the production of iron-carbonyl, a volatile compound of iron and carbon oxide, was simultaneously investigated by I.G. Oppau. Already in 1923 it was found that this compound effects a striking improvement of the anti-knock property of motor fuels. As a result of this work of I.G., a plant for the production on an industrial scale of iron-carbonyl by the treatment of iron bearing materials with carbon oxide under pressure, was erected at the Oppau work in 1924; by this process it was made possible to obtain, on an industrial scale, this volatile carbon oxide compound which up to that time had been very rare.

In the course of further research work on this iron compound it was also found that by heating up iron-carbonyl a highly pure iron powder can be obtained which possesses special magnetic properties offering extraordinary advantages in telephone- and later on - radio technique (Pupin reels). These observations led to the erection of a plant for the production, on an industrial scale, of iron powder from iron-carbonyl at the Oppau Works in 1927. Further results of the research work in the field of processing carbonyl-iron powder made it necessary for the completion of the experimental work, to produce a similar powder from nickel-carbonyl, the so-called carbonyl-nickel powder, to begin with in the laboratory and later on in an experimental plant. Until 1928 a specially produced, finely dispersed nickel metal served as raw material in these nickel-experiments which, in the beginning, were carried out in the laboratory. Already in that year, I.G. found that nickel-carbonyl can also be obtained directly from nickel compounds, e.g. from freshly precipitated nickel sulphide. However, this method of production was very complicated and costly. Only after three years of laboratory work which was rendered very difficult by the toxicity of nickel-carbonyl, it was found at Oppau that nickel-carbonyl can also be produced from the products obtained by the customary smelting process, e.g. nickel-copper stone, by applying carbon oxide under pressure, without the elimination of the copper from the nickel prior to forming the carbonyl by a special process such as was carried out by Mond. This surprising observation made at Oppau to liquify nickel in the form of nickel-carbonyl from nickel-copper stone, practically completely and without previous elimination of copper, in one process, by treating the material with carbon oxide under pressure, formed the base for the nickel production of I.G. in later years. (Exhibits 12 and 13).

(page 5 of original)

In February 1932 patents were applied for this new nickel process by I.G. in various countries. After further technical examination the production of nickel metal industrially according to this process appeared to be promising from an economic point of view the more so as the nickel powder obtained showed other striking advantages as an extraordinary capacity for sintering, high degree of purity, and special magnetic properties. Nickel bearing scrap, nickel bearing waste material from catalysts, and other nickel bearing products which, however, could be bought only in small quantities in the market, served primarily as raw material for the production of nickel which was quite small in the beginning.

Already at that juncture, I.G. exerted every effort to ensure for some time to come the supply of raw material for the future nickel production. It negotiated in Melbourne, a Tasmanian nickel-copper deposit and for the purchase of the nickel ore produced in Evje, Norway. Besides, I.G. made inquiries for nickel ores by their agencies in South Africa, Brazil, Finland, and Greece. These endeavours, however, did not lead to satisfactory results. I.G. also showed interest in a deposit in the Black Forest (Germany) to which some special attention was paid at the time. However, this deposit proved to be very small and altogether too poor in content to permit a continuous and economical production of nickel.

The attention of Inco and Mond was aroused by the interest displayed by I.G. in the nickel ore field, and in particular by the publication of the numerous nickel patents (Exhibit 14) as well as by the gradually increasing activities of I.G. in the nickel market. Inco/Mond own the extraordinarily big and rich nickel copper ore deposits in the Sudbury District of Canada which supply the raw material for their extensive plants in Canada and England for the production of metallic nickel. About 80 to 85 % of the total world requirements of metallic nickel are probably covered by Inco/Mond (Exhibits 15 and 16). On principle, Inco/Mond did not sell Nickel bearing materials but only the refined product. By the appearance of I.G. in this field, a new situation had been created for Inco/Mond. By means of the I.G. process metallic nickel could be produced from sulphidic nickel copper ore on a competitive basis as already pointed out above. From the resulting very fine and pure powder numerous new industrial applications could be expected. In addition to these considerations Inco/Mond had to bear in mind that I.G. as a big concern with numerous well established branches in all parts of the world was in a position to endeavour seriously to develop nickel ore deposits which would serve its requirements, independently from Inco/Mond; and that subsequently the longstanding business policy of Inco/Mond might be seriously impaired (Exhibit 18). I.G. had already impressively demonstrated its determination to secure a supply of nickel ores of its own by its extensive inquiries and investigations in many parts of the world. Moreover, the action of I.G. happened to be undertaken in a time of economic depression when the sales of nickel by Inco/Mond had dropped to a very low level. Probably for the first time since its establishment, Inco had to anticipate an annual debit balance (Exhibit 37). Therefore, Inco was particularly sensitive to any inroads by I.G. into its field of activities. On the other hand, I.G. had also been forced by the worldwide depression to fully exploit any new industrial possibilities which offered themselves in its field of activities. One of these was the production of nickel by means of the novel process which it had developed and which opened up new fields of application. In 1932/33 many high pressure furnaces of the nitrogen plants at Oppau had been shut down. Therefore, the utilization of these high pressure units for the nickel production of I.G. was highly desirable, and it was easily possible to put a comparatively big production capacity in operation for the production of nickel (Exhibit 12, page 4). Furthermore it became more and more evident, that the new I.G. nickel process called for the supply of a sulphide nickel-copper concentrate with a prescribed composition in order to enable an economic and competitive production, and that outside the Inco/Mond deposit such a supply could hardly be secured. To ensure this end, no doubt, years of costly preliminary work would have been necessary for the I.G. in a field, such as ore mining, which was foreign to its sphere of activities. By the prevailing economic exigencies a favourable platform was thus prepared for both parties for a reasonable understanding and co-operation.

The first approach was made by Inco/Mond through the mediation of its German sales agency, the Metallgesellschaft A.G., Frankfurt on Main (Exhibit 17). The subsequent negotiations with Inco/Mond resulted first in a conversation arrangement with I.G. pursuant to which Inco/Mond was to deliver to I.G. nickel concentrate and I.G. was to produce metallic nickel up to 150 tons for trial purposes by means of its new process (Exhibit 1).

By this arrangement the I.G. nickel process could be further developed and tested from a technical point of view in USA, England and Germany. After the technical tests had been satisfactorily concluded, further negotiations with Inco/Mond led to a ten years agreement with Inco/Mond on 28 April 1934 (Main Agreement Exhibit 2). Pursuant to this agreement nickel copper matte was delivered to I.G. for the production of metallic nickel. Matte is a concentrated raw material containing approx. 40 to 45 % of nickel, 10 to 20 % of sulphur and 30 to 40 % of copper as well as approx. 0.027 % silver, 0.0008 % gold and 0.003 % platinum metals (platinum, palladium, iridium, rhodium, ruthenium). The metals contained in the matte in addition to nickel are hereinafter referred to as "by-metals". Simultaneously I.G. and Inco/Mond reached a patent agreement (Exhibit 7). In respect of the sale of the nickel produced by I.G., a separate agreement was entered into by I.G. and Metallgesellschaft A.G., Frankfurt-on-Main, on 17 May 1934 (Exhibit 6).

Under the Main Agreement I.G. was entitled to request delivery of nickel bearing material in matte from Mond as follows:
in 1934 matte containing 700 tons of nickel,
in 1935 matte containing 1200 tons of nickel or 10 % of the world sales of Inco/Mond outside of America whichever was the less, and
in 1936 to 1943 10 % of the world sales of Inco/Mond outside of America.

Under this agreement I.G. obtained a continuous supply of matte enabling it to produce the following amounts of metallic nickel:

in 1933	110 tons	
" 1934	348 "	
" 1935	1435 "	
" 1936	2642 "	(Exhibit 57).

Moreover, the deliveries by Inco/Mond were made in such a manner that O.G. could carry stocks for a production period from about 4 to 6 weeks (Exhibit 24). By the end of 1936 the production of nickel covered about 30 % of the German consumption of nickel. By this reduction the equivalent of 2,5 million marks in foreign exchange was already saved in that year.

In the course of 1936 the Reich Government had repeatedly requested I.G. to erect a new plant in Central Germany (Exhibits 23 - 28 and 12). At the request of the Reich Government, I.G., therefore, resumed negotiations with Inco/Mond with a view to increasing I.G.'s production above the quota already fixed. Apart from the carrying of stocks required for the new I.G. plant in Central Germany ordered by the Reich Government, the request of the Reich for an increase of the I.G. nickel quota was greatly influenced by the desire to cut down imports of metallic nickel as far as possible in order to save foreign exchange (Exhibits 29 - 32).

After lengthy negotiations (Exhibit 11) which resulted first in the "Heads of Proposals" of 7 November 1936 (Exhibit 42) a Supplemental Agreement was signed by I.G. and Inco/Mond on 4 May 1937, stipulating that I.G. should receive so much nickel matte from Inco/Mond that it would be in a position to produce 3,000 tons of nickel in 1937 and 4,500 tons of nickel per annum in the year 1938 to 1943 incl. In addition, Inco/Mond sold to I.G. a further amount of matte containing 2,250 tons of nickel, to be carried as special stock (Exhibit 9).

In 1937 I.G. started construction of the new nickel refinery at Frose-Nachterstedt in Central Germany. However, operation of this new refinery could not be started at all before the war, and at the end of the war only, at a fraction of its capacity.

The building-up of the special stock was carried out in the manner laid down in the agreement. I.G. was financially assisted by the Reich in obtaining the necessary funds for the payment for this special stock (Agreement with the Wirtschaftliche Forschungsgesellschaft G.m.b.H. of 18/27 March 1939, Exhibit 36).

Announcements in the press in summer 1934 disclosed that Mond had taken an interest in the nickel deposit in the Petsamo region (North Finland) (Exhibits 38 and 39). By letter of 29 June 1934 (Exhibit 40) Mond gave I.G. full particulars on the acquisition and the terms of the Petsamo concession. Since, according to the letter of Mond, the arrangement for this concession was agreed upon before the main agreement had been signed, the provisions of sub-clause 3 d i i of the main agreement did not apply so that I.G. consequently did not raise any claims.

In 1936 a new nickel deposit was discovered in Central Finland near Nivala. Concerning this deposit Inco/Mond and I.G. negotiated in May 1939 and agreed that I.G. should send a qualified representative to Nivala with the approval of Inco/Mond and that this report should be made available to Inco/Mond. Inco/Mond reserved the right to negotiate at any time directly with the Finnish Government concerning this deposit (Exhibit 41). However, the trip of the qualified I.G.'s representative did not materialize before the outbreak of the war. Further negotiations concerning the Nivala deposit were not resumed between Inco/Mond and I.G.

As per sections 2 and 3 of Article 12 of the main agreement, it was agreed that, in the event of the diplomatic relations between the Governments of U.S.A., Canada, England, and Germany being suspended, the provisions of the agreement should be only temporarily suspended and that every effort should be made in the spirit of the agreement to adapt the contractual relations to the conditions then prevailing. By the outbreak of the war, this arrangement was rendered null and void (Exhibit 34). Since that time the contractual relations between Inco/Mond and I.G. have been suspended.

3. Essence of Agreements:

a) Temporary Conversion Arrangement (Exhibit 1)

Parties: Inco/Mond and I.G.

Date: 10 May 1933.

Essence of Agreement:

Inco/Mond deliver to I.G. 150 tons of nickel in matte for conversion into metallic nickel by means of the I.G. process. I.G. will be paid an amount of Reichsmark 1.- per 1 kilo for conversion.

100 tons of the converted nickel are to be returned to the firm of Henry WIGGIN & Co. Ltd., in Birmingham. 50 tons are to be held at the disposal of German firms for trials in accordance with detailed arrangements with Metallgesellschaft A.G., Frankfurt-on-Main.

Residues resulting from conversion will be smelted by I.G. and returned to Inco/Mond in blister form against payment of the costs of conversion incurred to I.G.

I.G. gives WIGGIN and Inco/Mond temporary licenses to produce and sell any nickel or nickel alloys or nickel iron alloys resulting from the 100 tons of nickel I.G. has converted. I.G. will co-operate with Inco/Mond and WIGGIN as to the industrial application of the 100 tons of nickel, and to this end will send some of their qualified representatives to the WIGGIN Works in Birmingham.

After satisfactory results have been obtained from the experiments, the parties will resume negotiations in order to conclude an agreement for the licensing of I.G. patents in the nickel field, the sale of raw materials to I.G. and the sale of the nickel produced by I.G.

b) Main Agreement (Exhibit 2)

Parties: Mond and I.G.

By a separate statement in writing of 28 April 1934, Inco has guaranteed performance of the Agreement by Mond (Exhibit 3). By a further separate letter of 28 April 1934, Mond has formally declared that for all the purposes of the Main Agreement Inco shall be deemed to be one of its controlled companies (Exhibit 4). The latter declaration was given for the same purpose as the guarantee by Inco, i.e. in order to have the obligations incurred by Mond also imposed on the companies controlled by Mond. The firm of Henry GARDNER & Co. Ltd. London, and Metallgesellschaft Aktiengesellschaft, Frankfurt-on-Main, have undertaken to carry out such provisions of the Agreement as are required of them by the Agreement.

Date: 28 April 1939.

Period of validity: Until 31 December 1943.

Purpose of the Agreement:
on the part of Mond:

Stabilizing the price level of nickel, settling of the market of nickel bearing raw materials, limiting of I.G. business in nickel to a fixed quota,

on the part of I.G.

Continuity on favourable terms of a reliable supply of nickel bearing raw materials of a quality suitable for the working-up process of I.G.

Assurance of a market for the resultant nickel at adequate and stable prices.

Essence of Agreement:

Mond delivers to I.G. nickel bearing raw materials in the form of matte and I.G. treats this raw material by means of its refining process in order to produce metallic nickel. Production and sale of I.G. are limited by quotas, as follows:

- 1934 at 700 tons of nickel
- 1935 at 1200 tons of nickel, or 10 % of the total sale of the Nickel Pool, whichever shall be the less expressed in tons
- 1936/43 incl.
at 10 % each of the total sales of the Nickel Pool.

The Nickel Pool comprises

Inco
Mond
Caldonickel, Noumea
Norddeutsche Affinerie, Hamburg.

Sales in the entire world with the exception of USA and Canada are deemed to be the sales of the Pool.

The price to be paid by I.G. to Mond for nickel bearing raw material is linked with the so-called average price (average sales-price per kilo nickel obtained by the Nickel Pool). For the year 1934 it amounts to 47 % of the average price and for the ensuing years 50 % at a production up to 1400 tons per annum and 52 % of the average price at a production exceeding 1400 tons per annum.

In case the sales of the Nickel Pool outside America fall below 9000 tons of nickel per annum or the average price falls to or below 110 Pounds gold a ton, special provisions are provided for.

As a matter of principle, I.G. is bound to purchase all of its requirements of raw materials for metallic nickel from Mond exclusively. If I.G. requires nickel bearing materials for any purposes than for the production of metallic nickel I.G. shall be at liberty to purchase up to 50 tons of nickel in nickel bearing materials from other suppliers. Quantities exceeding 50 tons a year, I.G. shall be bound to acquire from Mond exclusively provided Mond quotes competitive prices and terms.

I.G. is bound to offer to Mond first any nickel bearing waste, scrap, etc. which I.G. is desirous of selling. If Mond should not be willing to purchase such materials from I.G. at favourable term, I.G. may sell such materials to third parties, however, not at terms more favourable than quoted to Mond.

I.G. is not permitted to take or acquire any interest in nickel occurrences during the term of this agreement. This clause shall be suspended in the following cases:

- a) For any time after 31 December 1940. After that date I.G. is at liberty to take an interest in any nickel enterprise provided that an extension of the Main Agreement satisfactory to I.G. did not result within 6 months after negotiations were opened.
- b) If after the signing of the Main Agreement Mond acquires any additional nickel occurrence or takes a controlling share in such occurrence, I.G. shall be informed thereof. In that case I.G. may forthwith open negotiations with Mond with a view to be assured of an adequate supply of nickel bearing materials after the expiration of the Main Agreement. If these negotiations should not result in arrangements satisfactory to I.G., I.G. shall be at liberty to give notice to Mond that this Agreement is to terminate on 31 December 1940. When such notice is given I.G. shall at once be at liberty to interest itself in any nickel occurrence at any time.

If any nickel occurrence is discovered in Germany which I.G. is desirous of exploiting, it must negotiate with Mond. If an arrangement fails to result both parties to the Agreement are at liberty to give notice to terminate the Agreement within six months.

By-products contained in the nickel matte such as copper, gold, silver, etc. remain the property of Mond and have to be returned to Mond by I.G.

The sale of 70 % of the nickel produced by I.G. is effected by Metallgesellschaft; I.G. is entitled to consume or sell through its own organization the remaining 30 %; the latter, however, only in fabricated form (sheets, tubes, anodes, etc). I.G. is not permitted to sell commercial nickel or nickel alloys to USA and Canada.

Mond guarantees I.G. to sell on principle all of its quota at the average price.

- c) Arrangements pursuant to Clause 8 of the Main Agreement in respect of weighing, sampling, and analysis (Exhibit 5)

The arrangements are of technical nature exclusively. Reference is made to the contents of the different arrangements.

- d) Sales Agreement (Exhibit 6)

Parties: Metallgesellschaft A.G. Frankfurt/Main and I.G.

Date: 17 May 1934,

Period of validity: Until 31 December 1943.

Essence of the Agreement:

I.G. entrusts Metallgesellschaft with the sale of I.G. nickel as sole distributors. I.G. renounces any sale of I.G. nickel with the exception of the quota of 30 % to which it is entitled under the Main Agreement.

Metallgesellschaft will safeguard as far as possible the interests of I.G. in the sale of I.G. nickel. It will to the best of its abilities assist I.G. in its endeavours to create as big as possible a market for I.G. nickel and, therefore, give I.G. full information on the customers, their purchases and their requirements.

Metallgesellschaft will stand the delcredere.

Metallgesellschaft will assist I.G. in every way to ensure as wide a distribution as possible for the methods of I.G. for the processing of I.G. nickel.

In consideration of all its work Metallgesellschaft will receive a commission amounting to 2 1/2 % of the sales proceeds.

c) Patent Agreement (Exhibit 7)

Parties: Mond and I.G.

By separate written statement of 28 April 1934 Inco has guaranteed the performance of the agreement by Mond (Exhibit 3). By a further separate letter of 28 April 1934 Mond has formally declared that for all the purposes of the Agreement Inco shall be deemed to be one of its controlled companies. (Exhibit 4). The latter declaration was made for the same purpose as the guarantee by Inco, i.e. in order to have the obligations incurred by Mond also imposed on the companies controlled by Mond.

Date: 28 April 1934.

Period of validity: 31 December 1943.

Essence of the Agreement:

The processes of I.G. in the nickel field may be classified into two different groups, viz:

- a) the so-called refining processes covering the production of nickel powder, and
- b) the so-called user processes covering the use of nickel powder.

I.G. warrants to Mond, within certain limits, that it owns the patents in the nickel field as set forth by it. I.G. further informs Mond of the commitments towards third parties regarding the refining processes already entered into.

I.G. states its willingness to give information on the user processes and undertakes to give Mond information also on the refining processes within reasonable limits as soon as Mond is desirous of opening negotiations on the licensing of the refining processes.

On principle, I. G. is bound not to grant any licenses on its refining processes without the consent of Mond. If I. G. wants to grant such licenses and an accord with Mond cannot be reached, I. G. is entitled to give premature notice.

The inhibition to grant licenses on the refining processes, does not apply to the field covered by the Standard Oil agreements and magnesium agreements already entered into by I. G.

I. G. is bound to maintain all patents on the refining processes in the entire world during the life of the agreement. In cases where I. G. wants to drop such patents, it must reach an understanding with Mond. In the event an understanding is not reached, Mond is, under certain conditions, entitled to take over the patents for itself.

In respect of the user processes, I. G. and Mond will co-operate closely and exchange their experiences. On principle, I. G. is at liberty to grant licenses in the entire world. However, I. G. has warranted to Mond that Mond will receive licenses in the entire world at most favoured terms and will be entitled to grant sub-licenses. Furthermore, Mond has been assured by I. G. to receive an exclusive license for USA from I. G. on the user processes in case such a request is made by Mond within two years after conclusion of the agreement.

Finally, I. G. has committed itself towards Mond to give exclusive licenses on the user processes for Canada, Great Britain, North Ireland, and the Irish Free State with the right to grant sub-licenses. I. G. is entitled to revoke this commitment for the countries of Great Britain, North Ireland, and the Irish Free State until 1 January 1936 if it is of the opinion that the user processes were not satisfactorily developed in these countries; in that case the exclusive licenses rights are converted into nonexclusive licenses.

All licenses are granted for the lives of the respective patents. On the request of I. G., Mond is bound to make available to I. G. at most favoured terms all improvements and modifications of the user processes which are at the disposal of Mond.

Mond and I. G. agree to be bound to mutually defend their patent holdings against third parties.

By separate arrangement in writing dated 4 May 1934, Mond and I. G. have assured each other that, wherever this is possible, all the knowledge and experience of Mond and of I. G. as well as the knowledge and experience of all of their licenses can be made available to all persons, firms, and companies entitled to make use of the user processes and willing to agree to the principle of mutuality. (Exhibit 8).

f) Supplemental Agreement (Exhibit 9)

Parties: Mond and I. G.

By a separate statement in writing of 4 May 1937, Inco has guaranteed performance of the agreement by Mond, repeating its letter of 28 April 1934 (see Main Agreement) (Exhibit 10).

Date: 4 May 1937

Period of validity: 31 December 1943,

Essence of Agreement:

I. G. plans to erect forthwith a new nickel refinery in Germany having a capacity of about 2000 tons of nickel per annum. I. G. is bound to limit the combined capacity of such refinery and that of Oppau to about 4500 tons of nickel per annum, after the new refinery has been brought into production, which I. G. intends to do not later than 31 December 1937. I. G. undertakes to take care that the nickel produced at the new refinery will be of good commercial and marketable quality and that the new refinery will be operated in such a way as not to deprive Mond of the benefits intended to be secured for it by the Main Agreement (Section 1).

In compliance with a letter of the Amt fuer Deutsche Roh- und Werkstoffe (Office for German Raw and Fabricating Materials) of 22 December 1936 (Exhibit 35) I. G. undertakes in co-operation with the nickel Informationsbuero G.m.b.H. and Mond as well as the Ueberwachungsstelle fuer unedle Metalle (Supervising Office for non-precious metals) to examine whether and to what extent it is possible to remove, in whole or in part, the existing regulations restricting the use of nickel in Germany. (Section 2).

In modification of clause 2 of the Main Agreement, Mond will supply to I. G. such amounts of nickel bearing material which enable I. G. to produce

3000 tons in 1937, and
4500 tons per annum in the years 1938/43.

Furthermore, Mond will deliver to I. G. such additional amounts of matte that in 1937 I. G. will be able to carry as stock matte containing 900 tons of nickel, which stocks are to be augmented by further deliveries of approximately similar amounts during the years 1938-43 to a total amount of 2250 tons of nickel in nickel bearing materials.

I. G. is bound to inform Mond as soon as I. G. intends to refine these stocks. Special arrangements will have to be made by Mond and I. G. concerning the disposition of the material stored for refining. (3).

The arrangements laid down in clause 5 of the Main Agreement about the price I. G. has to pay to Mond for nickel bearing materials delivered are replaced by new price arrangements. In the future, prices for nickel bearing materials for current production and for stocking will be different. Besides, prices for nickel bearing materials for current production will vary in the different contract years and in accordance with the volume of production (clauses 4a, b, c, d I, II, III).

I. G. is bound to return the by-metals contained in the matte stocks after refining. If the stocks have not been refined within 12 months after the definite price for the nickel contained in the matte stocks has been fixed, I. G. agrees to pay Mond for the by-metals contained in the stocks. (clause 4 d IV).

In consideration of the standard price of Reichsmark 2,47 per kilo metallic nickel, set by the German Government, the provisions of the Main Agreement covering the sales prices and the guarantee to find a market are modified accordingly. Besides, the guarantee of Mond to find a market for the supplies newly agreed upon is limited as to quantities in the future. (clause 7 b, c, d).

Exports of I. G. nickel are limited as to quantities and are made subject to certain conditions (clause 7 e). Mond has entered into the Agreement on the express stipulation that

- a) the Vereinigte Deutsche Metallwerke Aktiengesellschaft, Altona, receives permit by the German Reich Authorities for the annual importation of not less than 1200 tons of nickel oxide from Mond,
- b) that during the calendar year 1937 the German Reich Authorities issue permits covering the importation of metallic nickel to an amount not less than the total 1936 imports (clause 8).

4. Statistics.

a) Production and Consumption.

From the exhaustive statistical data scattered all over the different files and whose enumeration would lead too far, the following comprehensive data may be compiled. Part of these figures are reliable estimates; in some cases the weights may have been confounded (metric tons, English tons, short tons). The figures stated below are given in metric tons throughout, the other weight units given in the records having been converted accordingly:

World Deliveries of Nickel in any Form:

	metric tons
1929	61,700
1930	39,900
1931	33,100
1932	25,800
1933	43,500
1934	55,300
1935	72,500
1936	89,900
1937	107,400
1938	91,000

Percentage shares in these deliveries:

	1929	1930	1931	1932	1933	1934	1935	1936	1937	1938
Inco/Wond (Canada)	91,9	85,9	75,8	63,3	75,5	75,5	80,8	84,0	85,1	80,0
Caledo- nickel (France)	4,9	8,8	13,4	13,8	10,6	8,4	6,6	5,4	4,7	6,6
Different suppliers	3,2	5,3	10,8	22,9	13,9	16,1	12,6	10,6	10,2	13,4
	100	100	100	100	100	100	100	100	100	100

With the beginning of the world depression in 1929, sales of nickel dropped rapidly in the years of the crisis to a minimum in 1932 which amounted to only about 42% of the sales in 1929. Beginning of 1933 the market recovered vigorously. Deliveries in the following years show a stormy upward trend. Already in 1935 the figures prior to the crisis were re-established and the record amount of 107,000 tons in 1937, exceeding the 100,000 tons limit for the first time, shows an all-time high.

The estimated consumption of nickel is divided among the most important countries as follows:

	1933 increasing till	1937
	metric tons	metric tons
USA	16 000	approx, 40 000
Russia	3 800	" 18 500
England	4 900	" 12 500
Germany incl. Austria	6 900	" 10 800
Japan	3 000	" 8 000
France	4 300	" 6 200
Italy	1 300	" 3 500

Actually all the countries referred to, show a considerable increase of their consumption of nickel in the years under review. Both as to percentage and actual figures, Russia shows the biggest increase, viz. from 3 800 tons in 1933 to 18 500 tons in 1937 and from 8,9% to 17,2% of the total world deliveries. Taking the actual figures, the German consumption (incl. Austria) increased from 6 900 tons to 10 800 tons during the period under review, while the percentage share in the world's nickel consumption dropped from 16,1% to 10,1%. In USA consumption increased from 16 000 tons to 40 000 tons, while the percentage figures remained about the same, viz: 37,3% in 1933 and 37,2% in 1937. France shows a decline in the percentage figure from 10% to 4,5%, while England does not show any big fluctuation, viz: 11,4% in 1933 and 12,9% in 1937.

Production of Metallic Nickel

in Germany in 1939:

KRUPP, Frankenstein abt. 1000 tons

Saechs. Blaufarbenwerke * 800 tons
Oberschlema

Norddeutsche Affinerie
Hamburg abt. 250 tons

Vereinigte deutsche
Metallwerke, Altona * 2100 tons

I.G. Farbenindustrie
Oppau * 110 tons

total * 4260 tons

Origin of Raw

Material:

Greek nickel ores

Indian nickel mortar

nickel sludge from
copper refining

nickel oxide of
Inco x)

Inco matte xx)

x) nickel oxide is a high-grade intermediate product which has
already been freed from copper and sulphur in America.

xx) The low figure for Oppau is due to the fact that the nickel
refinery was only commencing production.

Survey of Nickel Industry and Trade in Germany incl. Austria.

1934_ 1935_ 1936_ 1937_ 1938_ 1939_
metric tons

Production

x
I.G. Oppau) 348 1435 2642 3048 4098 4170

the following figures
are partly estimated:

KRUPP, Frankenstein 1200 800 400 465 appr. 400 400

Oberschlema 950 1200 1300 1100 1000 1000

Nordf. Affinerie 250 280 250 100 100 100

Altona 1475 1243 1036 1537 appr. 1500 appr. 1000

Others 150 150 180 180 180 180

4373 5108 5808 6430 7278 6850

Imports of metallic
nickel xx)

Germany 3381) 3647) 2331) 2266) appr. 2000) appr. 1000)

Austria 631) 1011) 1341) 2276) 1000) -----

8435 9766 9480 10972 10278 7850

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Consumption incl.
Austria xxx) 7400 7700 9500 10800 11400 ?

Stocks: + 1035 + 66 - 20 172 - 1122

=====

X) The share of I.G. Oppau in meeting the German requirements compared with the total production in 1934-39, amounts thus to a prox. 45%.

xx) thereof	1934	Inco	2601 tons
		Kristiansand (Norway)	859 "
	1935	Inco	3887 tons
		Kristiansand (Norway)	771 tons
	1936	Inco	2375 tons
		Kristiansand (Norway)	1277 tons
	1937	Inco	3752 tons
		Kristiansand (Norway)	790 tons

xxx) as "consumption" the deliveries to customers are to be understood. It cannot be ascertained whether these quantities were processed or partly stored by them. It may be presumed, however, that especially in 1938-39 larger stocks have accumulated with the processing industry owing to the severe restrictions on the use of metallic nickel for civilian purposes.

b) Prices.

Nickel was quoted on the Berlin Exchange on the average of the year of 1935 at RM 2.70 per kilo on the average of the year of 1936 at RM 2.69 per kilo. In 1937, the quotation of Nickel on the Berlin Exchange was suspended. The highest basic prices fixed by the Ueberwachungsstelle fuer Metalle (Control Office for Metals) were on the average of the year of 1937: RM 2.46 on the average of the year of 1938: RM 2.46, and on the 1st half-year of 1939: RM 2.46.

Prices of nickel developed as follows:

as from 26 January 1925	=	172.10.-	per English ton
1926	"	172.10.-	" " "
as from 1 January 1927	"	170.---.-	" " "
1928	"	172.10.-	" " "
1929 January/July	"	172.10.-	" " "
August/September	"	173.15.-	" " "
October/November	"	175.---.-	" " "
December	"	172.10.-	" " "

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1930 (February)	= 172.10.- per English ton
1931 as from 23 September	* 233.10.- " " "
1932	* 222.10.- to £ 257.15.- p.E.t.
1933 as from 2 March	* 227.10.- to * 251.10.- p.E.t.
as from 9 May	* 227.10.- to * 251.10.- p.E.t.
1934 as from 14 May	* 227.10.- to * 202.10.- p.E.t.
1935	* 202.10.-
1936	* 202.10.-
1937	* 182.10.-

The standard sales-price of Inco was, however, from 1925 to 1933 Gold £ 170.-.- or, the corresponding equivalent in cents, \$ 0.37 per lb. As from 1934, the price was fixed at paper £ 200.-.- Calculated in gold, it remained, therefore, unchanged from 1925-1933 and even decreased somewhat after this time.

Inco granted the customers a rebate on the above standard sales-prices, corresponding to the quantities bought in the course of a delivery-year, which rebate was increased to 15% for large quantities bought. As from 1937, i.e. in connection with the considerable reduction of the price, the rebate was also reduced. It may be stated that in the final effect the price of nickel, when calculated in gold, remained practically stable for 15 years, viz. until 1939.

The average pool price according to the Main Agreement Inco/Mond/I.G. was in

	1934	192,196	per English ton
	1935	180,038	" " "
	1936	178,420	" " "
	1937	168,515	" " "
1st half-year	1938	167,534	" " "

As from the date the Supplemental Agreement became valid, the average pool price was no longer taken as a basis for the settlement between Inco/Mond/I.G. Instead it was stipulated in this Agreement that I.G. may keep the proceeds obtained in Germany.

c) Deliveries of matte from Inco/Mond to I.G. and stock.

	number of shipments	Ni content in Engl. tons
1933	2	148
1934	4	717
1935	5	2323

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	number of shipments	Ni content in Engl. tons
1936	5	2618
1937	6	4294
1938	14	5446
1939	8	<u>3413</u>
		13959

The yield of the metallic nickel production in Oppau amounted to approx. 38-39% of which approx. 1-2% are to be booked as actual loss, while the remaining approx. 10% nickel are contained in the residue currently returned to Canada. From the supplied 13,959 English tons - 19,262 metric tons of metallic nickel in matte, I.G. could produce approx. 17 100 tons of metallic nickel. Until the end of 1939, the total production of I.G. from Inco matte amounted to about 15740 tons.

At the outbreak of war, there were stocks of about 3000 tons of nickel contained in matte that would have been sufficient to maintain a normal output at Oppau for about 3 months. Thereof approx. 1400 tons were processed during the months of September to December 1939. As from 1940, the production of Oppau was, however, considerably curtailed in order to avoid as long as possible a complete shut-down of the plant.

Operation at the plant in Central Germany, however, could not even partly be started owing to lack of raw material. Only in 1944, production was taken up there to a very small extent, but the output has probably exceeded 10-20 tons monthly.

It cannot be ascertained from the files on hand, how much refined metallic nickel was stored by I.G. at the outbreak of war. As the I.G. was, however, almost always in arrears with its deliveries owing to its limited production, it can be assumed that it was only a very small quantity. A certain stock of nickel might have accumulated with the nickel processing industry, because the consumption of nickel was cut by the authorities during the preceding years, but nothing can be learned from the files.

To complete the statement, it may be mentioned that at the outbreak of war approx. 1900 tons of matte-residues containing approx. 110 - 120 tons of nickel were ready to be returned to Canada.

5.) Technical Co-operation.

As mentioned, the conclusion of the Nickel-Agreement with Inco/Mond was considerably facilitated by the fact that the nickel powder obtained by the I.G.-process had opened the way to new fields of application on account of its special properties. Inco/Mond had always attached the utmost importance to the development of the technique of application of nickel and had spared no expenses for such endeavours. In addition to their

experimental laboratories, they maintained their own expensive information-office for this purpose at numerous places all over the world which kept them always informed about all innovations appearing in the different markets and which enabled them to inform and to expertly advise the individual customers about the nickel application field. In this respect they considered the joining of I.G. an advantage that made it easier for them to bear the burden of the arrangements entered into.

1. User processes.

The technical prospects of carbonyl nickel powder may be seen from the internal memorandum of 19 February 1933 (Exhibit 19). Reference is also made to the internal memorandum of 22 February 1933 (Exhibit 20) according to which the idea was ventilated within the I.G. already at that time to propose, for the development of the new application fields, the establishment of a company on equal shares between Inco/Mond and I.G. to be domiciled in London, thus shifting the center of the new development to England. This project was often mentioned later on, but never realized since experience showed that the new processes had to be subjected to thorough and lengthy tests to make them fit for industrial application. Moreover, the considerable increase in the consumption of nickel all over the world (see statistics) made it possible to replace the brisk and perhaps somewhat hurried development of depression years, prone to set-backs, by a slower and more systematic research work. While negotiations on the contract were still going on, a conversation on technical matters with Mond took place in London on 31 October 1933, in the course of which a report was given on the results of the experimental demonstration work carried out by I.G. in the plants of Mond in England. The report closes as follows:

"It was demonstrated to Mond Nickel Co. that the sinter process developed by I.G. makes it possible to process nickel on an industrial scale in a simpler and cheaper way than hitherto. The manufactured products, viz. sheet metal, band, wire, rolled anodes, depolarized anodes, are judged very favourably up to now and were delivered to customers for further testing. (Exhibit 21.)"

Furthermore, all details concerning the sinter processes were communicated to Nickel/Mond on 29 January 1934 prior to the conclusion of the agreement also

for passing same on to USA. They referred to the application of carbonyl nickel powder for the production of porous metals for filtration purposes, accumulators, sliding bearings, nickel iron as powder and band, depolarized anodes, purest nickel as sheets and wire for radio- and X-ray tubes, nickel alloys, e.g. with manganese, molybdenum and chrome (Exhibit 22).

With regard to the co-operation which was characterized by full harmony and mutual confidence, the following may be said without going too much into details.

According to the temporary arrangement of 10 May 1933, it had been agreed for the time being that I.G. nickel powder should immediately be placed at the disposal of Henry WIGGIN & Co., Ltd. Birmingham (England), owned by Inco/Mond, in order to have WIGGIN & Co. carry out, with technical assistance and advice to be furnished, experiments for the application of nickel in general on a large scale, and also for the production of nickel iron alloys (Exhibit 1).

In fall 1933, anodes, sheets, and wires produced from I.G. nickel at the Sheet- and Wire-Works of WIGGIN & Co. were inspected there and the satisfactory result of these first experiments in England was confirmed (Exhibit 31).

Many more technical conversations between Inco/Mond and I.G. followed in the course of the years, but as from 1935 the exchange of information became considerably less, because the technical staffs of both firms were occupied with more urgent work, viz. considerable enlargements of the refining plant at Clydach on the part of Mond, enlargement of the nickel plant at Oppau, as well as projecting of a new refinery in Central Germany on the part of I.G.

The investigations made referred mainly to the following fields of application:

1. Process for the production of porous metallic nickel objects.
2. Use of porous nickel objects
 - a) for positive electrodes in alkaline accumulators,
 - b) for filters for concentrated lyes,
 - c) for porous bearings.
3. Process for the production of non-porous metallic nickel and nickel alloys.
4. Use of such metallic nickel and nickel alloys
 - a) for articles made from pure nickel containing not less than 99,9% nickel, vacuum tubes industry, apparatuses for the chemical industry highly resistant to corrosion, nozzles for the processing of plastics, plated sheets,
 - b) anodes for galvanic nickel baths,

- c) carbonyl nickel iron alloys having special magnetic properties,
- d) compound metals,
- e) welding material for the covering of welding electrodes and nickel welding-wires (Exhibit 35).

In this connection it is worthwhile to refer to the treatise of Dr. ASSMANN and Dr. SCHLÖTTE, Oppau, of 17 April 1939 on the processing of carbonyl nickel powder in smelting plants of the German iron and steel industry and of the German metal industry (Exhibit 43).

A greater part of the technical co-operation was devoted to the subject of sintered nickel plates for alkaline accumulators. After Mond had convinced itself of the simplicity of the manufacturing process, it declared at the end of 1935 that this process offered a market for I.G. carbonyl nickel powder, suitable for practicable application. However, one did not want to follow up the matter in England until the Edison Storage Battery Co. would have obtained final results from their examination. Mond intended to subsequently put in the Battery Ltd., England, a subsidiary company of the Swedish Jungner works. Meanwhile, Edison Storage Battery Co. had already been approached via Inco, New York, but Edison was a serious competitor of Jungner works in foreign countries. I.G. recommended to interest both leading works in the new plates. Until 1939, a decision could not be reached which producers of accumulators in England should be entrusted with the matter, as - apart from the examination which dragged on unexpectedly, especially in the Edison works - also an agreement between I.G. and Accumulatorenfabrik I.G., Berlin (Afa) had to be taken into consideration. (Exhibit 45). The negotiations with Edison Storage Battery Co. of New Jersey were carried on so far that in 1937 an internal draft of a license agreement was drawn up by I.G. (Exhibit 46), but did not get beyond the stage of preliminary negotiations.

In 1939, the preliminary work for the industrial application of nickel-carbonyl powder seemed to have been developed so far that the often discussed intention of the parties to form a contractual relation beyond the patent agreement became now mature for decision. On 23 May 1939, Inco/Mond submitted a general outline for a future agreement to I.G. (Exhibit 47). This was internally examined within I.G., but could not be followed up owing to the outbreak of war.

B. Refining processes.

In June 1934, representatives of Inco/Mond approached the I.G. for the first time requesting it to disclose the experiences in the high-pressure field for the production of nickel-carbonyl according to the I.G. high-pressure process. I.G. agreed on condition that these experiences were applied only in the own plants of Inco/Mond and only in the field of the production of nickel from nickel bearing material and were kept secret from other firms.

In August 1934, members of the technical staff of I.G. visited the nickel refinery at Clydach on which occasion it was found that Mond, in view of the necessity to enlarge its plant, wanted to examine whether this enlargement could suitably be carried out on the basis of the I.G. process (Exhibit 43).

Furthermore, the internal report of I.G. on the visit, dated 9 August 1934, contains interesting details about the result of the visit (Exhibit 49).

The return-visit of Inco/Mond at Oppau took place in September 1934. (Exhibit 50).

In the fall of 1934, Inco/Mond seemed to have decided to establish a high-pressure trial-plant at Clydach, for which project an amount of £ 45,000.- had been set aside by Inco. I.G. advised against it, however, because, - on account of its small size- such a trial-plant could not supply the necessary data for a calculation for a current production on an industrial scale. Nevertheless, I.G. left to Inco/Mond all details needed for a clear judgment.

In view of the urgency of the enlargement of Clydach, Inco/Mond had to come to the decision to continue work according to the process applied hitherto. In October 1935, I.G. was informed accordingly (Exhibit 51) with the remark that it would only be possible to discuss again the I.G. process if the Clydach plant should be enlarged again. This was the case at the beginning of 1937. The first enlargement of Clydach resulted in an excess of nickel-carbonyl that could not be thermally decomposed in their decomposer plant. Mond, therefore, intended to enlarge the decomposer plant by a capacity of approx. 2500 tons of nickel per annum.

The official inquiry of Inco/Mond regarding this decomposer plant was made on the occasion of a technical meeting at Oppau on 23 June 1937. (Exhibit 52).

After consent had been given by I.G., on principle, the required data and drawings were furnished to Inco/Mond in the course of the year 1937. The supply of apparatuses by I.G. was not provided for, since they were to be ordered in England.

As announced in April 1938, the completion of the plant was unexpectedly delayed owing to shortage of steel prevailing in England. But also technical difficulties delayed the work with the result that in August 1938 Inco/Mond approached I.G. with a request for the data also for fractionating columns, since it had proved that nickel-carbonyl contained too much iron-carbonyl and would have to be subject to a special refining process. In order to speed up the construction, I.G. undertook, at the request of Inco/Mond, also the supply of special equipment which could be delivered in a short time. (Exhibit 53).

About the license terms for the plant, views were exchanged quite often. The parties agreed, however, that it might be advisable to settle the license agreement only after the plant had started operation and after exact operating results would be available. On 26 September 1938, Inco/Mond declared the following:

"We will treat as confidential the information and experience obtained and if our trials do not warrant our taking up a license from you, we undertake that we will not make use of the information and experience so gained in any way what might be contrary to your interests." (Exhibit 54).

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It was quite clear to I.G. that by the licensing of these processes Inco/Mond was enabled also to produce I.G.-iron-carbonyl powder which was of increasing importance in the radio- and telecommunication technique. (Exhibit 53). Accordingly, it was intended to take the interests of I.G. in this field into due consideration in the final license agreement with Inco/Mond. Only in August 1939, the Glydach plant was ready for operation. As agreed upon with Inco/Mond, I.G. sent for this purpose a technical engineer familiar with the manufacture who was engaged in the starting of operation of the plant until shortly before the outbreak of war, viz. from 2 until 29 August 1939. He reported on this work in detail in his memorandum of 27 September 1939. (Exhibit 56).

Frankfurt-on-Main-Griesheim, 11 July 1946

Annex: List of Exhibits.

Annex

List of Exhibits.

- Exhibit 1 Temporary conversion agreement of 10 May 1933.
" 2 Main Agreement of 23 April 1934.
" 3 Letter of guarantee of Inco of 23 April 1934.
" 4 Supplemental Declaration of Mond of 23 April-
1934.
" 5 Arrangement on weighing, sampling, and ana-
lytical procedure of 19 November 1934.
" 6 Sales Agreement I.G./Metallgesellschaft of
17 May 1934.
" 7 Patent Agreement of 23 April 1934.
" 8 Supplemental Declaration of Inco of 4 May 1937.
" 9 Supplemental Agreement of 4 May 1937.
" 10 Letter of guarantee of Inco of 4 May 1937.
" 11 Report on the visit FLEIGER of 10 December 1936.
" 12 Report of 29 January 1942, pages 1-3.
" 13 Special reprint (of the publication) Dr.
SCHLECHT of 27 February 1939.
" 14 List of Patents.
" 15 Report BERG of 22 January 1932.
" 16 "Berliner Borsenzeitung" of 21 July 1933.
" 17 Letter EULER of 30 November 1932.
" 18 Memorandum Dr. SCHLECHT of 26 October 1933.
" 19 Internal Memorandum of 19 February 1933.
" 20 Internal Memorandum of 22 February 1933.
" 21 Report on visit of 31 October 1933.
" 22 Report on the conversation of 29 January
1934, page 1.
" 23 Letter THOMAS-KRAUCH of 31 January 1936.
" 24 Letter KRAUCH-THOMAS of 5 February 1936.
" 25 Letter CZIMATIS-KRAUCH of 3 March 1936.
" 26 Letter KRAUCH-CZIMATIS of 30 March 1936.
" 27 Letter WARLIMONT-KRAUCH of 4 April 1936.
" 28 Letter KRAUCH-WARLIMONT of 7 April 1936.
" 29 Letter DIEKMANN-FÄHRENHORST of 16 July 1936.
" 30 Report on visit of 21 September 1936.
" 31 Report of 16 October 1933.

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- Exhibit 32 Letter CZIMATIS-I.G. of 25 July 1936,
" 33 Report Dr. SCHLECHT of 16 August 1939,
" 34 Letter CLUSS-BRENDEL of 14/16 September 1939,
" 35 Letter of "Ant fuer deutsche Roh- und Werk-
stoffe" of 22 December 1936,
" 36 Wifo-Agreement, mentioned in the letter of
16 April 1940, page 2.
" 37 "Metallboerse" of 30 November 1933,
" 38 "Frankfurter Zeitung" of 27 June 1934,
" 39 "Deutsche Bergwerkszeitung" of 4 July 1934,
" 40 Letter Mond of 29 June 1934,
" 41 Report on the Nickel-conference of 6 May
1939, pages 6-8,
" 42 Heads of Proposals of 7 November 1936,
" 43 Treatise by Dr. ASSMANN and Dr. SCHLECHT,
part I, of 7 April 1939.
" 44 dto., part II, of 7 April 1939.
" 45 Memorandum of 2 October 1936,
" 46 Draft of Agreement of 26 April 1937,
" 47 Letter of 23 May 1939 concerning the
principle of the agreement.
" 48 Memorandum and letter of 3 August 1934,
" 49 Report on visit of 9 August 1934,
" 50 Report on visit of 14 September 1934,
" 51 Report on meeting of 11 October 1935,
pages 1-2,
" 52 Report on meeting of 23 June 1937, pages 1-2,
" 53 Report on meeting of 16 March 1939, pages 4-5,
" 54 Letter Mond of 26 September 1938,
" 55 Report on meeting of 6 May 1939, page 8,
" 56 Report Dr. BUDDENBERG of 27 September 1939,
" 57 Review of the nickel industry and trade
of 2 March 1940,

I certify that this is a literal and correct copy of the
document,

(signed) Dr. Wolfram v. METZLER
Dr. Wolfram v. METZLER

Affidavit

I, the undersigned Attorney-at-Law Clemens BRENDL, residing in Heidelberg, Voltkestrasse 33a, have first of all been warned that I render myself liable to punishment if I make a false declaration under oath. I herewith declare under oath, that my statement corresponds to the truth, and that it was made to be submitted as evidence before Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

In supplement to my declaration under oath submitted to Military Tribunal No. 6, Palace of Justice, Nuernberg, Germany, as of 8 January 1948, I declare the following today:

The 57 exhibits mentioned in the original report of 11 July 1946 regarding the contractual relations between the I.G., Mond and Inco were all turned over together with the original report to the member of the United States Administration Control Office, I.G. Farbenindustrie A.G. in Frankfurt a. M. - Griesheim, Mr. LASKY, in person, by Herr Paul HAEFLIGER and myself on 11 July 1946, or on one of the following days. Mr. LASKY told us that he was personally taking this original report with the 57 exhibits without delay by air travel to the competent

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department of the American Government in Washington. Copies of these 57 exhibits are not at my disposal. I do not know whether such copies were prepared by the aforementioned Control Office and are included in the files of this Control Office. On this account copies of the 57 exhibits could not be attached to my affidavit of 8 January 1948.

Heidelberg, 11 February 1948.

signed: Clemens BRENDL

Certification of Signature.

I, Notary Justizrat Dr. MÜNZENBERGER, of the notary public-office Heidelberg in Heidelberg, certify and witness the foregoing signature of Herr Clemens Wilhelm August BRENDL, Attorney-at-Law in Heidelberg, Moltkestrasse 33d, as given before me in person.

Heidelberg, 11 February 1948.

Notary Public Office Heidelberg IV

Justizrat signed: Dr. MÜNZENBERGER as Notary Public

(Seal)

(Stamp)

Value 1.000.00 RM

Article 39 See Regulations 2.00 RM

Affidavit

I, Paul HAEFLIGER, residing in Frankfurt a. M., Schumannstrasse 39, at present in Nuernberg, have first of all been warned that I render myself liable to punishment, if I make a false declaration under oath. I declare under oath, that my statement corresponds to the truth, and that it was made to be submitted as evidence before Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

In June 1946, myself and Direktor BRENDL, the latter having mapped out, as chief of the legal division Ludwigshafen, all the contracts with the Inco Mond Group relating to the nickel domain and having personally experienced all the phases of the development, received from Mr. LASKI of the I. G. Control Office, Frankfurt a. M. the order to write up a memorandum documented with exhibits on the contract conditions under discussion using as basis the very complete files which were seized there.

It was explained to us that this memorandum was intended for a lawsuit pending in the U. S. A. against the International Nickel Corp.

This memorandum was worked out after an exhaustive study of the files and was signed by myself and BRENDL in German and in English on 11 July 1946. We were permitted to retain a copy of this memorandum in English

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and in German. A German copy will be submitted as enclosure to the Affidavit of BREIDEL, of 8 January 1948 (Defense Document HAEFLIGER No. 23).

Since this memorandum is very bulky, I am going to present an extract while strictly adhering to the text, and adding in separate sections various remarks for the elucidation of the text.

Part I.

Insofar as exhibits are mentioned in this first part, reference is not made to Defense or Prosecution exhibits, but to exhibits of the afore-mentioned memorandum.

1. Historical Development.

The I. G. Nickelcarbonyl-process goes back to the research-work on the synthesis of motor-fuels conducted by the I. G., Oppau, in 1923. In 1928 the startling discovery was made in Oppau, that nickel could be liquified from nickel copper ore without previous removal of the copper, in one single operation, practicably complete in the form of nickelcarbonyl, if one allows carbon monoxide to act on this substance under pressure. This observation became the basis of the future I. G. Nickel-production. (See Exhibit 12; Office Report, dated 29 January 1942 and Exhibit 13: Special printing Dr. SCHLECHT, dated 27 February 1939)

The new nickel-process was reported by the I. G. in February 1932 in various countries for patent applications

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(See Exhibit 14: List of Patents)

At that time the I. G. made vain efforts to secure a long-range base for raw materials for nickel production, for which purpose only territory abroad (Tasmania, Norway, South-Africa, Brazil, Finland, Greece) came into consideration.

Thereby, and particularly through the publication of the numerous nickel patents, the attention of Inco (International Nickel Co. - of Canada, Toronto), and Mond (Mond Nickel Co. Ltd., London) was aroused. These firms supplied approximately 80 - 85 % of the total world demand for metal nickel.

Inco/Mond did, as a matter of principle, not yield nickel in the form of raw material, but only as a finished product. The entrance of I. G. into the market brought about a new situation for Inco-Mond. According to the I. G.-process, it was possible to produce metallic nickel on an economic basis from sulfide of nickel-copper ore, and, moreover, in the new form of an extremely fine, pure powder, which promised numerous new technical applications. Moreover, the progress of the I. G. came by chance at a time of economic depression in which the nickel sales had hit a very low level for Inco-Mond. At that time, the Inco had probably to reckon with a loss for the first time in its existence. (Exhibit 37: Metal Stock Market of the 30 November 1933). As a result, the company was particularly sensitive to the invasion of I. G. On the other hand, I. G. also had been put by the World Depression into a situation which forced it to exploit all new technical possibilities

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to the best of its abilities. During the years 1932 - 1933, a rather large number of high-pressure furnaces in the nitrogen-plants in Oppau were shut down, so that, at that time, an exploitation of these high-pressure aggregates for the I. G.'s nickel production was very desirable, and the rendering available of a relatively large capacity for the production of nickel metal was possible without further ado. (Exhibit 12, page 4). Moreover, it was discovered over and over again, that the new I. G.-nickel process, in order to be operated on an economic basis, required the supplying of a sulfide of nickel-ore concentrate in a certain composition, which could hardly be obtained outside the Inco/Mond deposits in the Sudbury District Canada.

2. Negotiations with Inco/Mond.

The first establishment of contact proceeded from Inco/Mond through its long-time sales representative in Germany, the Metallgesellschaft A. G., Frankfurt/Main, (Exhibit 17: Letter EULER, dated 30 November 1932).

After long drawn-out negotiations, a ten-year contract with Inco/Mond came into being (Exhibit 2: Main Agreement), according to which nickel-copper "matte" was to be delivered to the I. G. for the production of metallic nickel. "Matte" is a raw-material concentrate which consists approximately 40 - 45 % of nickel, 10 - 20 % of sulfur, 30 - 40 % of copper, as well as, approximately 0,027 % silver, 0,008 % gold, and 0,003 % platinum metals. The metals contained in the "Matte" other than nickel were designated as Beimetalle (auxiliary, secondary metals). According to the contract, these auxiliary metals remained the property of Mond and had to be delivered back to Mond by the I. G. Thus, only the nickel component contained in the "Matte" was required.

At the same time, a patent agreement was concluded between I.G. and Inco/Mond (Exhibit 7) as well as a contract regarding the sales between the I.G. and the Metallgesellschaft A.G., Frankfurt/Main, on 17 May 1934 (Exhibit 6).

On the basis of the Main Agreement, the I.G. was currently supplied with "Matte", making it possible for them to produce the following quantities of pure nickel: 1934, 348 tons; 1935, 1435 tons; 1936, 2642 tons (Exhibit 57). The nickel production attained at the end of 1936 covered about 30% of the entire German nickel consumption. In this way, about 2,5 million Mark in foreign exchange could be saved that year.

3. Additional Central German Nickel Plant.

In the course of 1936 the Reich repeatedly demanded of the I.G. to erect a new plant in Central Germany. (Exhibit 23-28 and 12, namely Exh. 24; letter KRAUCH-THOMAS of 5 February 1936, Exhibit 23; letter THOMAS-KRAUCH of 31 January 1936, Exhibit 25; letter CZYMATIS-KRAUCH of 3 March 1936, Exh. 25; letter KRAUCH-CZYMATIS of 30 March 1936, letter WARLIMONT-KRAUCH of 4 April 1936, Exh. 27 and Exh. 28; letter KRAUCH-WARLIMONT of 7 April 1936, Exh. 12; Report of 29 January 1942, p. 1-8.

The I.G. therefore, upon the request of the Reich, started new negotiations with Inco/Mond with the purpose of increasing I.G. production beyond the fixed quota. The request by the Reich was prompted, to a large extent, by the consideration that the import

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of pure nickel was to be restricted as far as possible, so as to save foreign exchange. (Exh. 29-32, namely Exh. 29; Letter DIECKMANN-FAHRENHURST of 16 July 1936, Exh. 30; report on visit of 21 September 1936, Exh. 31; report of 16 October 1936, Exh. 32; letter CZYMATIS-I.G. of 25 July 1936.)

On 4 May 1937, after long negotiations (see Exh. 11; report on visit to and conversation with PLEIGER of 10 December 1936, which shows that the I.G., under strong pressure by the authorities had to erect the Central German plant at their own expenses) a supplemental agreement between the I.G. and the Inco/Mond could be signed stipulating that the I.G. should receive from Inco/Mond a sufficient quantity of nickel-"Matte" so as to be able to produce 3 000 tons of nickel in 1937 and 4500 tons per year from 1938 through 1943.

In 1937 the I.G. began the construction of the new plant for the production of nickel in Frose-Nachterstedt in Central Germany. But this new plant was not able to operate at all before the war, and towards the end of the war only with a small fraction of its capacity. (Note: the I.G. always regarded this plant as a nuisance which was forced on it and was convinced that the plant was uneconomic. The Ludwigshafen management, directed by 1 Dr. MUELLER-CUNRADI, which had been charged with the construction, only made very slow progress with the erection and constantly pretended that there was some other and more urgent work on hand. This got them into a dangerous position in front of the Speer Ministry in 1944.)

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4. Special Supplies of Nickel-"Matte".

On the basis of the supplemental agreement of 4 April 1937, the Inco/Mond sold to the I.G. an additional special supply of Matte, containing 2250 tons of Nickel. In paying for this special supply the I.G. received financial support from the Reich (Exp. 36).

This was necessitated by the following circumstances:

Before the negotiations with regard to the additional agreement started, the Inco/Mond was notified, that a new plant had to be erected in Central Germany. This is also evidenced by the documents. The capacity envisaged was approximately 2000 tons per annum. As the new I.G. nickel-carbonyl process could not be applied in the absence of high pressure plants for the supply of carbonoxide gas, Dr. SCHLECHT from Oppau devised a new nickel process for Frose, the so-called wet process. This process called for a very large circulating quantity of nickel-"Matte". So that the plant might be able to produce pure nickel at all, at the above mentioned capacity, approximately 1200-1500 tons of nickel in the form of matte, circulating all the time, had to be supplied right at the start, if my memory serves me right.

Inco/Mond understood the technical necessity for a special supply and also recognized that, owing to the long route from Canada, it was absolutely normal and justified to build up a supply for several months, to ensure unhampered production. Under the Main Agreement, the Inco/Mond was bound to guarantee this supply as far as stipulated in the contract and hence had an interest of their own in

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the I.G. having sufficient supplies.

At the outbreak of war, a reserve of approximately 3000 tons of nickel contained in Matte was on hand, including the special supply.

(Note: this is an error; the actual total reserve only amounted to 2124 tons of nickel in Matte; see Affidavit Dr. SCHLECHT defense doc. HAEFLIGER No. 27). The I.G. did not possess any supplies in finished pure nickel worth mentioning, because they constantly were behind the schedule of deliveries.

This reserve was sufficient to meet the German requirements for about five months.

5. Nickel deposits in Petsamo/Finland.

In the summer of 1934, it became known through press reports that Mond had taken an interest in the nickel deposits in Petsamo (Northern Finland) (Exh. 38 and 39). With letter of 29 June 1934 (Exh. 40) MOND informed I.G. of the details of the acquisition and the conditions of the Petsamo-concession. As MOND explained that the conclusion of the agreement on this concession took place prior to the date of conclusion of the Main Agreement, the provisions of par. 3 D II of the Main Agreement were not fulfilled, and consequently the I.G. did not present any claims on this basis.

6. Statistical Material.

These figures are taken mainly from the metal statistics of the Metallgesellschaft, Frankfurt/Main.

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World Deliveries of Nickel

	Metric tons		metric tons
1929	61700	1934	55300
1930	39900	1935	72500
1931	33100	1936	89900
1932	25800	1937	107400
1933	43500	1938	91000

The estimated consumption of nickel is distributed as follows amongst the most important countries:

In metric tons from 1933 through 1937

U.S.A.	16000	ca. 40000
Russia	3800	ca. 18500
Great Britain	4900	ca. 12500
Germany (including Austria)	6900	ca. 10800
Japan	3000	ca. 8000
France	4300	ca. 6200
Italy	1300	ca. 3500

The production of nickel metal in Germany amounted to:

	in 1934	1935	1936	1937	1938	1939
I.G. Oppau	348	1435	2642	3048	4098	4170
Other producers	4025	3673	3166	3382	3180	2680

(KRUPP)-Frankenstein, Oberschlema, Nordd. Affinerie Altona

Import of metallic nickel into Germany
(Austria excluded)

in 1934	1935	1936	1937	1938	1939
3381	3647	2331	2266	2000	1000 ca. ts

(Note: see the sharp decline from 1936, due to shortage of foreign exchange, also given by the authorities as reason for their demand with regard to the Central German plant)

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Matte-Deliveries from Inco/Mond to I.G.

	<u>in 1933</u>	<u>1934</u>	<u>1935</u>	<u>1936</u>	<u>1937</u>	<u>1938</u>	<u>1939</u>
Nickel proportions in engl. tons.	148	717	2323	2618	4294	5446	4313

7. Technical cooperation I.G.-Inco/Mond.

The conclusion of the nickel agreement was substantially facilitated for the Inco/Mond by the fact that the nickel powder produced according to the I.G.-process, owing to its specific qualities, opened up new possibilities of use. The Inco/Mond had always attached particular value to, and spared no expenses to develop of techniques in the use of nickel. For this purpose they maintained beside their experimental laboratories, expensive special information bureaus in many parts of the world which currently informed them of all the innovations on the various markets and also enabled them to give expert information and advice in the field of nickel use to each of their customers.

In this connection, therefore, they regarded the accession of the I.G. as an advantage.

The I.G. processes in the nickel production consisted of two groups, namely

A) the so-called refining processes which refer to the production of nickel powder

and

B) the so-called user processes which refer to the use of nickel powder.

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User processes. The technical possibilities for the new powdered nickel carbonyl are disclosed in an inter-office memo of 19 February 1933 (Exhibit 19). Furthermore we point to the inter-office record of 22 February 1933 (Exhibit 20), according to which even at that time the idea was broached within the I.G., to propose a two-way partnership between Mond Inc. and I.G. with offices in London for the development of the new spheres of application. This would have shifted the focal point of the new development to England. This plan was frequently mentioned later on but was never put into practice since it emerged that the new processes needed a thorough and time-taking test to bring them to practical fruition. Even before the signing of the contract a technical discussion was held with Mond in London on 31 October 1933, in which the results of demonstration experiments, which had been carried out by the I.G. in Mond's plants in England, were reported. The report concludes:

"It was demonstrated to the Mond Nickel Co. that nickel can be treated more simply and more cheaply than hitherto, by means of the sintering process developed by the I.G. The products: sheet metal, tape, wire, roller anodes and depolarized anodes have been judged very favorably until now and are being supplied to customers for further testing." (Exhibit 21).

Furthermore, before the signing of the contract on 29 January 1934, Nickel/Mond was given all the details of the sintering process also for imparting them to the U.S.A. They referred to the application of powdered nickel carbonyl in the production of porous metals for filtering purposes, storage batteries, plain bearings, nickel iron in powder and tape form, depolarized anodes, pure nickel in form of sheet metal.

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and wire for radio- and X-ray tubes, nickel alloys for instance with manganese, molybdenum and chromium (Exhibit 22).

Until the end of 1939 the co-operation was most harmonious and inspired by mutual confidence.

In the technical co-operation the subject of electrodes for alkaline storage batteries (sintered nickel plates for alkaline storage batteries) especially occupied a more important place. After Mond was convinced of the simple production method, the firm declared at the end of 1935 that there was a market for the I.G. powdered nickel carbonyl which was ripe for practical utilization. Mond however first wanted to await the precise test results of the Edison Storage Battery Co. N.J. Lively correspondence took place between the Edison and the management (Betriebsleitung) Ludwigshafen; witness Dr. SCHLECHT.

By 1939 the preliminary work for the economic utilization of powdered nickel carbonyl seemed to have advanced sufficiently so that the question repeatedly discussed by the parties, i.e. to create a contract beyond the patent agreement, now became acute. On 23 May 1939 Mond Inc. submitted to the I.G. an outline for a future contract (Exhibit 47), which was examined within the I.G., but which could not be pursued further owing to the outbreak of war.

Refining processes, i.e. production of nickel by the I.G. process.

In June 1934 representatives of the Mond Inc. for the first time approached the I.G. with the request to hand over the data

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on high pressure for the production of carbonyl by the I.G. high pressure process. I.G. expressed its fundamental agreement.

In August 1934, I.G. technicians visited the Nickel refinery in Clydach (Wales), on which occasion it was made clear that Mond - in view of the necessity of extending its plant - wanted to examine whether this extension could be expediently carried out in the basis of the I.G. process (Exhibit 48).

In September 1934 Mond Inc. came to Oppau on a return visit. (Exhibit 50).

In view of the great urgency of the expansion of Clydach, however, Mond was forced to come to the decision ^{to}/continue working with its old methods (Exhibit 51). The I.G. was correspondingly informed of this in October 1935 with the remark that Mond could revert to the I.G. process only after a possible further expansion of the Clydach plant. This materialized at the beginning of 1937.

Mond Inc. officially requested this decomposer installation on the occasion of a technical discussion in Oppau on 23 June 1937 (Exhibit 52).

During 1937 the I.G. placed the required data and drawings at the disposal of the Mond Inc. A delivery of apparatus by the I.G. was not envisaged; rather these were to be ordered in England.

The completion of this installation however met with unexpected delays owing to the existing steel shortage, as the Mond Inc. reported in April 1938.

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But technical difficulties also arose and induced Mond Inc. to request the I.G. in August 1938 to supply also the data for a destilling plant (fractionating columns). The I.G. agreed to this and, in order to speed up the construction of the plant in Clydach, the I.G., on the request of Mond Inc., also undertook the delivery of special apparatus which could be effected rapidly (Exhibit 53).

There were frequent exchanges of opinion on the license conditions for the plant. However it was agreed that it would be expedient to fix the license contract only after the opening of the plant, and after precise working results were available.

I.G. was aware that by handing over these processes - for which it never received a penny - it placed Mond Inc. in the position to produce I.G. powdered iron carbonyl, which was gaining more and more importance in the radio- and telephone technique (Exhibit 53: conference report of 16 March 1939, p. 4 and 5). Therefore it was intended to give due attention to the interests of the I.G. in this sphere in the final license contract with Mond Inc.

The Clydach plant was not ready for work until August 1939. For this purpose the I.G., as had been arranged with Mond Inc., sent a technician familiar with the manufacturing to Clydach, who put the plant into operation

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from 2 until 29 August, i.e. shortly before the outbreak of war, and who made a detailed report of this in his record of 27 September 1939. (Exhibit 56: report Dr. BUDEMBERG).

(Note: In summing up it may be stated that this is a case of a war essential field, which among others proves conclusively that the I.G. maintained a friendly international co-operation until the last days before the outbreak of war in the course of which it turned over most important and most modern technological data to England and the U.S.... right up to the beginning of 1939 without receiving any compensation for this up to the outbreak of the war).

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Part II.

Now I would like to comment briefly on some of the exhibits of the Prosecution:

- 1) Exhibit 725, Doc. Book 39, English p. 47, German p. 83:

is set forth in the affidavit by Dr. W. SCHUBERDE (Defense Document HAEPLIGER No. 26), nickel production, for want of sufficient supplies, went down to 773 tons already in 1940, to suffer a further decline - down to 586 tons - until 1942; that is to say it fell to from one sixth to one tenth of the output of 4168 tons reached in 1939. This shows clearly the precarious situation of this plant. Therefore in the interest of keeping this plant running, we were duty bound soon after the outbreak of the war to take steps to provide new supplies for the Oppau plant, all the more since otherwise, in the case of a shutdown of the plant, we had to reckon with our skilled workers, who had been especially trained for their difficult job, getting drafted into the Wehrmacht. Since nickel, in any shape, had been seized at the outbreak of the war, this could be done only via the competent authorities.

- 2) From its negotiations with the Inco/Mond, the I.G. knew that for this purpose only the Petsamo-deposits could virtually be taken into consideration. In view of the notoriously uncooperative attitude of the authorities towards the I.G., the decisive point was to prevent other interested parties from interfering with these negotiations;

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in this connection we particularly had the Saechsische Blaufarbenwerke in mind, which were in Government hands and which had the special support of the Saxon Gauleiter LUESCHMANN. This would have greatly injured our interests, the more so since, of course, we placed great value on resuming our friendly relations with our former contracting partner after the war.

3) Reichsbankrat LUDWIG was the competent referent in the Reich Ministry of Economics for the Nordic trade relations of the Reich. The point was to convince him to safeguard our interests and to look upon the I.G. as the most appropriate firm in this field for conducting private-economic negotiations with the Finnish subsidiary company of the Inco/Moni, that is the Petsamo Nikkeli O.Y., Helsinki, on the strength of its knowledge of the situation and its former connection with the Nickel-Trust.

4) In this endeavor, the international policy of the Nickel-Trust was too strongly pointed and represented in far too gross a manner in the memorandum which was meant merely as an aide-memoire for the oral expositions. By it, perhaps, the impression was created erroneously as though the Trust was pursuing a business policy which would not shrink from giving preference to business connections with foreign countries at the price of sacrificing general national interests. Such a charge, however,

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cannot be brought against the Inco/Mond; on the contrary, its dealings with the I.G. were entirely compatible with the national interests of both Canada and England.

5) Namely, what was quite intentionally left out in the memorandum in question, is the very important returns made by the I.G. and which consisted in the making available of technological experiences both in production and use of the new nickel. Experiences which extended, in addition, to the simultaneous production of purest iron powder, which is of special importance to the radio industry.

This was already stated in detail in this affidavit.

6) So when in April/May 1939 in the British Parliament the government was strongly attacked for supplying nickel to Germany, and the demand for a boycott was raised, the government apparently could not give full information without endangering national interests.

7) It must be inserted here that the nickel agreement of 1937 between Inco/Mond and I.G. was submitted to the Canadian Government for approval and that the latter must have already had knowledge of the technological returns on the part of the I.G. The record of the Chemical Committee dated 20 November 1936 contains the following entry about this matter:

"Tober-Indrae reports about the result of the negotiations in London on 6 November 1936 with the representatives of the Inco and the Mond Nickel. The agreement depends on the consent

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of the German and Canadian governments. In the agreement widest allowance is made for the German desires. The guaranteed supply of 4500 year/tons of nickel in the form of matte during a period of 6 years beginning 1 January 1938, makes possible production in Oppau within a scope of 2500 year/tons and the building of a new plant in Central Germany to process 2000 year/tons. A decision can be expected in about the middle December."

8) Now if the representatives of the government in the British Commons had officially pointed out the great significance of this German equivalent - against which stood only increased imports to Germany of a quota which to any expert was of a quite insignificant nature and which was moreover distributed over 6 years - immediate steps on the part of the German government to stop these supplies would have been provoked which, among other things, would also have endangered the expansion of the new nickel plant under construction in England and scheduled to operate according to the I.G. process (BUDDENBERG Affidavit, Defense Document HAEFLIGER No. 37).

9) Thus the I.G. representatives on their part were not interested in drawing once more the special attention of Herr LUDWIG in the Ministry of Economics on these important returns, which the I.G. had carried on up to 2-3 days before the outbreak of the war; returns which of course had in turn been made while believing in a peaceful settlement of the prevailing political tension. One might have put the noose around its neck later by charging it with having supported an enemy country, with all the consequences involved. This danger was all the greater in view of the uncooperative attitude of the authorities and National Socialist agencies towards the I.G.

10) Moreover, the very fact of this cooperation having been maintained by the I.G. in England up to the last days before the outbreak of the war, is another proof that the I.G. by no means regarded the Four Year Plan and rearmament as a measure for waging a war of aggression and that, to the very last moment, they did not think of a war.

The building-up of a strategic nickel reserve was in keeping with the measures which had been common in all countries in the pre-war years and even long before. (Laying of monetary reserves by making nickel coins). It was quite moderate in proportion to the normal total consumption and, moreover, there was no intention of rushing its completion: it was to be built up within 6 years. Considering the long supply routes, possible strikes, transport difficulties, etc., it certainly was an imperative measure for ensuring the smooth running of business.

11) In April 1939, the Labor member for Derby, Mr. Noel BAKER, posed the general question in the British House of Commons: "Are we making efforts comparable to Germany in building up war reserves?", to which Mr. CROSS answered for the government: "I cannot say whether they are comparable. We are guided by our own policy, but reserves of that kind are being acquired."

12) In May 1939 the nickel position was being discussed in detail in the British House of Commons. (compare attached excerpt from the "Times" of

17 May 1939, when the president of the Board of Trade, Mr. Oliver STANLEY, stated the value in pound sterling of the nickel imported to England in any form and shape to be as follows

1936	Pound Stg.	2,041,000.--
1937	" "	6,118,000.--
1938	" "	6,141,000.--

As early as at that time, we were struck by the fact that in 1936 only pure nickel was imported, where as in 1937 Pound Stg. 2,362,000.-- and in 1938 Pound Stg. 2,452,000.-- worth of nickel ore, concentrate and matte were imported into England resulting in the following import figures for pure nickel:

1937	Pound Stg.	3,756,000.--
1938	" "	3,689,000.--

The market quotation of nickel - persistently very stable - having been approximately Pound Stg. 180.-- per ton (long ton) at that time, the following import figures result :

a) pure nickel:

in 1936	11.339 tons
in 1937	20.867 "
in 1938	20.494 "

b) nickel in the form of
"ore, concentrates and matte":

On the assumption that nickel in this shape, on a conservative estimate may be put at half the value of pure nickel at the most, viz. Pound Stg. 90.-- per ton of the nickel contents, we arrive at another importation of

nickel in pure form as per following figures:

in 1936	26.244 tons
in 1937	27.133 "
in 1938	

Altogether, basing our calculation on these figures which were stated officially in the House of Commons, the importation into England works out as follows:

for 1936	11.339 tons nickel contents
for 1937	47.111 " " "
for 1938	47.627 " " "

By contrast, the last published figure of pure nickel consumption in England was

approximately 10.800 tons in 1937.

This proved that a formidable nickel reserve was being piled up in England in the shape of pure nickel and of ores and concentrates which, as early as 1937, exceeded 37.000 tons of nickel contents.

In order to smelt the ores and concentrates, the Mond Nickel Co. proportionately expanded its large nickel plant in Clydach, an expansion, which, in its second phase in 1939, resulted in the erection of the I.G. - licensed plant which was put into operation in August 1939.

13) It is revealing to place the above figures alongside with the nickel reserve of 2250 tons net, which the authorities ordered the I.G. to build up, and till 1942 at that.

If we did not think of war even when such a reserve was being built up in England - or else the I.G. would not have continued communicating its experiences and giving its support till August 1939 - how much less could we see a warlike intention in the building up of the German reserve!

In view of the British figures, Mr. Oliver STANLEY's statement in the Commons: "I am informed

... that even at the present time, with the enormous scale of rearmament in this country, the war use is only 10% of the use of nickel in this country" - at least in its first part, - is very plausible.

14) It must be pointed out, in addition, that, while the exact English figures admit of a reliable estimate of the quantities of pure nickel, no specification by categories was given in the British House of Commons in regard to the quantities being imported into Germany. On the contrary, the import figures were jumbled up rather haphazardly without stating the total value which alone could have afforded a clear view. It is this very fact which could not but puzzle us and, in a time shortly after the unexpected outbreak of war with its peculiar atmosphere, give rise to a retrospective suspicion as if things had been deliberately hushed up in Parliament.

Also in the extract from an article published in the "Neue Zürcher Zeitung" No. 984, of 2 June 1939 (see enclosure) which was also before us at that time, the I.G. thought, it could read between the lines an intention of deliberate obscuration. There it says in a passage :

"The Canadian Prime Minister informed the Canadian Parliament some days ago that the increase of German purchases is traceable to the opening up of new sources of supply, although Canada had lately supplied less nickel to Germany than previously."

At that time, the statement appeared to us to be contradictory, as the matte deliveries from Canada had been continued on approximately the same scale as before. However, a perusal of documents

has since brought to light the fact that in 1939 certain quantities of low-grade iron-nickel-ore (less than 2 % proportion of nickel) were shipped to Germany from Greece and Celebes for smelting at the Krupp works. So far as the proportion of nickel is concerned, these ore shipments played a quite insignificant role, but of course, they led to an exaggerated import figure in terms of tonnage, if jumbled up with 50%-matte and pure nickel.

This accounts for the first paragraph of page 84 of the German Document-Book, Exhibit 725 which, however, has become untenable.

15) It is also untrue that - as alleged on page 85 of Exhibit 725 at foot - the reserve of nickel matte was stored at the expenses of the Nickel Trust. This is also evidenced clearly by Exhibit 724, Doc. Volume 39, page 80 of the German text. The nickel contents in this 50%-matte was paid for immediately, shipment by shipment, while the residues from the smelting process which contained the copper embedded in the ore and other small quantities of precious metal remained in possession of the Trust and were regularly returned to Canada.

16) One of the motives which caused the Nickel Trust to supply the special quantities was that the Trust wanted the support of the I.G. in trying to obtain a relaxation of the regulations governing the use of nickel which were issued by the German authorities owing to the scarcity of foreign exchange. Loyally carrying out this

promise the I.G. made representations to proper authority. In this connection the Chemn. minutes of 18 October 1937 contain the following statement:

"In pursuit of the nickel agreement with the International Nickel Co of Canada Ltd. we have suggested a relaxation of the regulations governing the use of nickel to the Raw Materials Office. The Office will comply with this suggestion and publish its decision on the occasion of the expected visit of the vice-president of the International Nickel Co., Dr. THOMPSON. A delay in getting up the estimates for the new nickel plant was caused by the difficulties in the iron supplies; nevertheless no loss of production or only a slight one, is anticipated for 1938, because Herr Dr. SCHLECHT, Oppau succeeded in proportionately increasing the output of the old plant. - The enquiry of Herr Dr. GIERTSEN, of Raffineringsverket A.S., Kristiansand/Evje, Norway, whether I.G. was prepared to process 300 tons Ni in the matte will be communicated to Mr. THOMPSON; furthermore, the appearance on the nickel market of a new German competitor as reported by the Metal Company, will be discussed with him."

The reference to the appearance on the nickel market of a new German competitor is significant.

17) As regards the reserve of pure nickel stored with the I.G. at the outbreak of the war one more rectification must be made. In page 21 of the nickel memorandum (see aforementioned affidavit BRENDL), it was stated to be approximately 3000 tons. This statement is based on the erroneous assumption that the special reserve had been supplied fully on the basis of the Supplement Agreement, whereas it has now been possible to ascertain that only about 60 % had arrived till September 1939. The reserve at the outbreak of the war, therefore, was not 3000 tons, but only 2134 tons of nickel in matte, a fact which compelled the management of the Oppau nickel plant to cut down production immediately. Within several months it dropped to a tenth of the production capacity.

(page 26 of original)

- 18) Exh. No. 721, Doc. Book 39, English page 33,
German p. 62:

This memorandum did not come to my notice, my name had been crossed out on the distribution list. It shows however that the I.G. energetically advocated the continuance of the figure-reports to the Mond Nickel Co., but at the same time it admitted that e.g. the British Government on the other side would hardly have permitted the Mond Nickel Co. to report to Germany the figures of nickel-supplies to the British war-industries (like Armstrong, Vickers).

and Exh. 724, Doc. Book 39, English page 45, German p. 79 shows quite plainly that this matter was to be discussed openly with the representatives of the Mond Nickel Co.

- 19) Exh. No. 722, Doc. Book 39, English page 35,
German p. 65:

In sub-section 3 is mentioned the procurement of foreign exchange for nickel and also for Molybdenum and Wolfram raw materials.

Whereas the reference to nickel proves that the stocks were not kept at Ineos' expense, it must be stated with reference to Molybdenum and Wolfram that the I.G. advanced the foreign exchange for these latter raw materials for the entire German Convention. As stated already during this trial, the I.G. had been given the permission to utilize their outstanding amounts of foreign exchange, which normally would have been appropriated by the government for the import of essential raw materials without having to apply for a permit every time. As long as

(page 27 of original)

the funds of foreign exchange exceeded I.G.'s own requirements of foreign raw materials it was agreed that, for simplicity's sake, they would also settle, from their own funds of foreign exchange, the raw material quotas of the other members of the Wolfram- and Molybdenum Convention. After, however, their own cover of foreign exchange had become increasingly short and the danger existed that their own supply of raw material would be impeded the I.G. naturally adopted the course of reducing first this voluntary help towards other firms resp. stopping it completely. This is what I mean with my remarks that it would be expedient to start first excluding from this special arrangement the payment of Wolfram- and Molybdenum raw-materials and not the nickel because the latter was exclusively for the I.G.'s own consumption. I.G.'s share of Molybdenum and Wolfram was about 30% at an average, so that I.G.'s share of the afore-mentioned RM 10,000,000 only amounted to about three millions. This was moreover only a matter of covering the current demand and certainly not of building up a stock.

20) Exh. No. 683, Doc. Book 38, English page 83,
German p. 109:

These documents have not been brought to my notice. I only know that Herr FLEIGER used considerable pressure to force the I.G. to construct the Central-German plant at their own expense. During a meeting on 10 December 1936 which I attended according to my diary he introduced some other men who were interested and he demanded of us to disclose all our experiences to

(page 23 of original)

then, if the I.G. should insist on their refusal. I protested against such a procedure at that time and declared that I would leave the decision with higher I.G. authorities. The detailed minutes of this meeting is in the hands of the US Authorities as Exh. No. 11 with memorandum HAEFLIGER/BRENDEL, inserted in affidavit BRENDEL.

21) Exh. No. 726, Doc. Book 39, English page 51,
German p. 90:

If the liaison-office 7 in January 1940 declared the small stock of nickel to be a "definite war reserve" the same subsequent designation can be applied to all foreign strategical of reserves raw-materials accumulated under government order all over the world. It did not mean more than that, as explained already in detail. Presumably the liaison-office 7 which besides had no real insight in matters concerning nickel deemed it practicable to over-stress this point in view of the endeavors to ease the financial situation of the I.G. Besides, in foreign countries such strategical reserves were designated as "war-reserves" also; see e.g. point 11.

Similarly over-stressed is also the merit which the Metallgesellschaft boast of in the matter of concluding the I.G./Inco agreement. At that time the Metallgesellschaft was still under the management of the principal Jewish shareholder Dr. L. MERTON and the whole nickel-affair was handled at that time as also later by a member of the board of this company

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who on account of his Jewish wife experienced great hostility and was always in peril. It would hardly be assumed that the Metallgesellschaft would have lent their assistance to a cause likely to be connected with an intended war of aggression.

22) Exh. No. 728, Doc. Book 40, English page 1,
German 2. 1:

Report about a conference at the Foreign Office in Berlin of 26 March 1940.

The report of this conference has been compiled by Dr. SCHLECHT and signed by him; it has not been submitted to me. I got to know of it only from Doc. Book 40; all the same, it seems to render more or less correctly the discussion as far as I can remember. It has been explained already that at that period we found ourselves compelled to close down almost completely our production of pure nickel for want of raw material and that the opening up of a new source of supply was a most urgent affair.

At that period Finland was not at war with any other power and Germany was still at peace with the U.S. We knew that the Petsamo Concession had been granted to the British firm Mond Nickel Co., but that the transfer to them had been made only for political reasons and that actually the Inco of New York stood behind it with the majority of US capital and that on their initiative the opening up of the Petsamo deposits had been taken in hand.

Then we were informed in the Foreign Office, that an English delegation intended to go to Helsinki in order to discuss the matter of nickel with Finland. The representative of the Nickel-Trust was the Finnish Company Petsamon Nikkeli O.Y. Helsingfors, incorporated under Finnish Law, which was owned entirely by the Inco-Mond Group.

We were within our rights and duty bound to make diplomatic representations, in order to prevent our being cut off from this supply.

In this we also subsequently stressed the compensation, which we had promised to the Nickel Trust in 1937 in return for the assurance of special supplies of 2250 t of Nickel ore. This has already been mentioned above (see page 16).

23) Despite the fact that we got the impression through publications in the Finnish press that Inco/Mond, contrary to its contractual obligation, had not offered I.G. the opportunity^{to} participate in the Petsamo agreement (see Doc. Book 40, German page 4), on another occasion when I was at the Foreign Office, I emphatically spoke against inducing the Finnish Government to transfer the Petsamo-concession to Germany, although it concerned mineral treasures which already at that time were valued at least at 500 Million Reichsmark but actually are worth much more. I was emphatically against it to infringe on private enterprises

and kept always in mind, that we would have to get along internationally and would have to rely on each other after a war, no matter how it ended.

On the other hand, we had to realize, that pressure must be brought to bear on the Finnish Government, in order to counter balance the demands of the English. Finland at that time, after having lost the winter war against Russia, had to rely on the economic aid of Germany, and it could be presumed without doubt, that the pressure of the German representatives of the commercial treaty with regard to the promise of nickel material, would by no means be inopportune to them in their negotiations with the English delegation, because England could not offer their country what Germany could offer. The remark on page 8, Doc. Book 40, is to be interpreted in this sense.

No particular efforts were needed as I learned later to definitely get the desired agreement from the Finnish Government, because it must also have realized that Russia too would come forward with such demands.

24) The I.G. which was entrusted with the negotiations which soon afterwards were to be taken up with private enterprises received then the instruction from the Foreign Office to sign an agreement for only 60% of the production in Petsamo - after due consideration for the Finnish requirements - since 40 % were to be reserved for the Russians. The negotiations between

Finnland and Russia, which had to take place in Moscow, did not lead to an agreement before the outbreak of the war in June 1941, because the Russians demanded that the mining of the entire deposits should be done by a mixed Finnish-Russian company under their supervision, annulling the concession granted to England, a demand to which the Finnish Government would not agree. The official Blue Paper, published by the Finnish Government after the outbreak of the second Finnish-Russian war, contains all the details of this matter.

The remark on page 9, Doc. Book 40, that the previous contractual connection between the I.G. and the Inco-Mond should not constitute an obstacle, was the result of the knowledge that there was a feeling of distrust against the I.G. with regard to its international connections. But the actual fact was that this agreement, which had also been concluded with the English Firm Mond Nickel, became void with the outbreak of the war, in accordance with English Law.

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The Exhibits, mentioned in the first part of this affidavit in the excerpt from the memorandum of 11 July 1946, have been turned over, together with original memorandum by Herr BRENDL and me in person to Mr. L. SKI of the I.G. Control Office, Frankfurt/Main-Griesheim. Mr. L. SKI stated that he would at once personally deliver by plane the original memorandum and the exhibits to the competent department of the

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American Government in Washington. Copies of these exhibits are not in my possession and therefore can not be inclosed with the foregoing affidavit.

Muernberg, 27 February 1948.

signed: Paul HAEFLIGER.
.....
(PAUL HAEFLIGER)

The foregoing signature, acknowledged by me, of Herr Paul HAEFLIGER, residing in Frankfurt/Main, Schumannstrasse 39, at present Courthouse Muernberg, has been affixed before me, Attorney Dr. Wolfram von NETZLER, and is herewith certified and attested to by me.

Muernberg, 27 February 1948.

signed: Dr. W. v. NETZLER

Dr. W. v. NETZLER.

The correct and true copy of the foregoing document is herewith certified.

Dr. Wolfram v. NETZLER.
.....
Attorney-at-Law.

Enclosure 2.

Excerpt from the "Neue Zürcher Zeitung" No. 984 of
2 June 1939.

London, 22 May hhy. There have been, during the past weeks, in certain British Parliamentary circles, signs of increased propaganda recommending an embargo of nickel exports to Germany and Italy, which has its source in the rapidly increasing German import figures during the first months of this year. These circles hold that nickel is an essential material for the manufacture of ammunition, and since Canada delivers four fifths of the world production of this material and the larger part of the remainder comes from French-New Caledonia, it is believed that the dictator-states' eagerness for war might be reduced by an embargo on the part of the democracies. The question of embargo was opened not only in the British but also in the Canadian House of Commons. The Canadian prime minister informed the Canadian Parliament some days ago that the increase of German purchases has its origin in the opening of new sources of supply and that recent Canadian supplies of nickel to Germany had been lower than at any time before. In the British Commons, Mr. Oliver STANLEY, the British Minister of Economics, made a statement on this question which amounts to an unequivocal renunciation of the suggestions relative to an embargo. Among other things it was stated that though nickel was an essential material for war production, it had, at the same time, a very large peace-time use as well. Even at the present time, with the enormous scale of rearmament, the war use of nickel was only about 10 per cent of the entire use of nickel. Thus it was clear that, if the British Empire was going to embargo the exports of nickel, it would bring to an end a large number of "peace-time activities" all over the world.

Mr. Oliver STANLEY.- Nickel besides being used for war materials, has a very large peace-time use as well. I am informed that, even at the present time, with the enormous scale of rearmament in this country, the war use is only about 10% of the use of nickel in this country. It is clear that, if the British Empire is going to embargo the exports of nickel, it is going to bring to an end a large number of peace-time activities all over the world.

Mr. Noel BAKER (Derby, Lab.) - Since the success of such action would prevent a world war, will the right hon. gentleman not consider conducting negotiations with other governments on the matter?

Mr. Oliver STANLEY.- There are many people who think that the institution of an all-round economic boycott is the surest way of starting a war. (Ministerial cheers)

Mr. FILKINGTON (Widnes, U.) - Are not hon. members opposite advocating economic sanctions (Ministerial cheers).

I certify that this is a literal and correct copy of the above document.

signed: Dr. Wolfram von METZLER
Attorney-at-Law

Enclosure 1.

Excerpt from "The Times" (London) of 17 May 1939.

IMPORTS OF NICKEL

"Preventing world war"

Mr. EDWARDS (Middlesbrough, E., Lab.) asked the President of the Board of Trade if he would state the value of nickel and nickel ore, respectively, imported into this country in each of the last three years, showing the percentage from Canada.

Mr. OLIVER STANLEY (Westmoreland, U.)— As the answer involves a number of figures, I will, with the hon. members' permission, circulate it in the OFFICIAL REPORT.

(The following is the circulated statement:)

The following table shows the declared value of imports into the United Kingdom of nickel ore and unwrought nickel during the years 1936, 1937 and 1938, distinguishing the value of imports consigned from Canada.

	1936	1937	1938
	Lst. 000	Lst. 000	Lst. 000
Nickel, Ore, Concentrates and Matte			
Total imports			
(all from Canada)	(a)	2,362	2,452
Nickel, unwrought, in ingots, cathodes, cubes, rods, pellets, shot, grain and powder, and nickel flakes			
Total imports	2,641	3,756	3,689
of which consigned from Canada	1,653	3,296	3,314

(a) Not recorded separately prior to 1937.

Note: The figures for 1938 are provisional.

Mr. KIRKWOOD (Dumbarton Burghs, Lab.) Is the right hon. gentleman aware that Britain and France hold the world monopoly of nickel and that without nickel it is impossible to manufacture munitions of war? Britain holds 90% and France 10%, and will the Government not take some action in order to prevent the export of nickel?

Enclosure 1 (Sheet 2)

Mr. OLIVER STANLEY.- Nickel, besides being used for war materials, has a very large peace-time use as well. I am informed that, even at the present time, with the enormous scale of rearmament in this country, the war use is only about 10% of the use of nickel in this country. It is clear that, if the British Empire is going to embargo the export of nickel, it is going to bring to an end a large number of peace-time activities all over the world.

Mr. NOEL BAKER (Derby, Lab.).- Since the success of such action would prevent a world war, will the right hon. gentleman not consider conducting negotiations with other Governments on the matter?

Mr. OLIVER STANLEY.- There are many people who think that the institution of an all-round economic boycott is the surest way of starting a war. (Ministerial cheers.)

Mr. FOLKINGTON (Widnes, U.).- Are not hon. members opposite advocating economic sanctions? (Ministerial cheers)

I certify that this is a literal and correct copy of the above document.

signed: Dr. Wolfram von METZLER
Attorney-at-Law

A f f i d a v i t.

I, Dr. Ing. Walther SCHUBERT, resident in
Heckergenuend, Peter Schnellbach-Str. 24, have been
warned that I render myself liable to punishment if
I make a false affidavit; I declare upon oath that my
statements correspond to the truth and have been made
in order to be submitted as evidence before Military
Tribunal VI in the Palace of Justice, Nuernberg,
Germany.

Since 1924, I have been a chemist with the I.G.
Farben Industry A.G. Work Oppau, and was able to expand
my knowledge concerning nickel, acquired through study
at a university in the field of metallurgy, by dealing
with questions concerning metals within the works. By
virtue of my knowledge in this field and the data of
the I.G. at hand, I have set up the following figures:

The annual production of nickel in the Oppau works
of the I.G. Farbenindustry consisted of:

Year	production	year	production
1935	1472 t	1940	773 t
1936	2642 "	1941	749 "
1937	3044 "	1942	336 "
1938	4076 "	1943	1319 "
1939	4163 "	1944	2972 "

(page 2 of original)

The Nickel plant of the I.G. Farben Industry A.G. in Frose was put into operation in 1943 and was active until March 1945.

The production was:	1943	24 t
and	1944	238 t

For the year 1945 no data are available. According to my estimate, production was approximately 30 t.

Further Nickel producing plants in Germany were the following:

Vereinigte Deutsche Metall-Werke Altona,
Sachsische Salzfärbwerke,
Krupp,
Norddeutsche Affinerie, Hamburg.

The Nickel production of these works must have been approximately between 3000 t and 4000 t p.a., if I remember rightly.

According to these figures, the share of the I.G. Farben in the total production of Nickel in Germany amounted to about 10%, at the most 60%.

With the exception of Krupp, with a mine of their own in Frankenstein which, however, was relatively unimportant, all other Nickel plants had to import their raw materials from abroad.

Compared to the requirements of Nickel in Germany, the share supplied by the I.G. Farben Industry A.G. decreases

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in so far as, besides nickel raw materials, various quantities of finished nickel products were imported in addition.

Ludwigshafen a Rhein, 14 January 1943.

sgd. SCHUBART

I hereby certify the above signature of Dr. Ing.
Walther SCHUBART.

Ludwigshafen a Rhein, 14 January 1943

Dr. Wolfgang ALT.

Affidavit.

I, the undersigned Dr. Leo SCHIECHT, residing in Ludwigshafen on the Rhine, Bunsenstr.4, having been duly cautioned that I render myself liable to punishment if I make a false affidavit, hereby declare on oath that my statement corresponds to the truth and was made in order to be submitted as evidence before the Military Tribunal in the Palace of Justice in Nuernberg, Germany.

In 1924, I, together with a group of other young chemists, was commissioned within the scope of the Armonia Laboratory of the then Badische Anilin and Sodafabrik, Ludwigshafen/Oppau to find promising technical fields for the utilization of iron carbonyl. As a result of this work, it was found in 1925 that it is possible to derive from the then little known iron carbonyl an especially pure iron powder with surprisingly good magnetic properties. In 1926 we also tried to alloy the powdered iron carbonyl with nickel in order to improve the magnetic properties further. These experiments led us to the field of nickel carbonyl production, from which, in a similar manner as in the case of iron carbonyl, we produced fine and very pure nickel powder by thermic decomposition.

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In 1928 we found furthermore that sintered nickel storage battery plates could be made from the powdered nickel carbonyl, produced in a specially developed process, which promised a greater capacity than the Edison plates used until then.

In order to gain a more specific picture as to the industrial prospects of these inventions, it was necessary to produce the powdered nickel carbonyl on a semi-industrial scale and thereby to have available larger amounts of powdered nickel for the production of the above-mentioned magnetic special alloys and storage battery plates. For this purpose we used metallic solid nickel for commercial use as the raw material in an experimental plant, and it emerged that the price of this raw material available in metallic form was too high for the industrial utilization of the powdered nickel carbonyl produced from it. Therefore, we were forced to find a raw material containing nickel which cost less than commercial nickel, and naturally we thought of testing waste materials containing nickel, i.e. used nickel catalysts or nickel ores, for their suitability for the above-mentioned purpose. At the end of 1931 I, together with my

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co-worker Dr. NAUMANN, after many other unsatisfactory experiments, finally tested nickel smelting intermediate products, such as unprocessed and processed nickel ore. These experiments showed that nickel or nickel sulfide dissolved in iron sulfide and/or copper sulfide, with carbon dioxide under pressure forms nickel carbonyl directly, i.e. without the heating and reduction process used until then.

In view of this technically and economically particularly important development in the production of nickel carbonyl, we were in a position to manufacture nickel carbonyl on a larger scale, and the economical advantages of the new process provided an incentive for the manufacture, not only of powdered nickel as a special product for the above-mentioned purposes, as was intended, but also of metallic nickel in general from raw materials containing nickel, for all conceivable, and in particular for new purposes. From this point of view the above-mentioned invention was then tested for its technical use in a series of large-scale experiments, and after the satisfactory conclusion of these large-scale experiments in 1932, it formed the basis for the Oppau nickel production.

Although sufficient high pressure apparatus for the large-scale industrial production was

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available from the nitrogen plant in Oppau, a sufficient basis of raw materials was lacking at first, which could only be procured from abroad since there were no appreciable ore deposits in Germany. Our efforts in this direction, however, were at first unsuccessful. The International Nickel Company of Canada and the Mond Nickel Company of London (Mond Inc.) began to notice us mainly because of our nickel patents abroad. Already in December 1932, the Mond Inc. contacted the I.G. in regard to handing over our nickel process. We were immediately ready for negotiations, which had the result that we gave the Mond Inc. license authorization for all our patents on producing, processing and utilizing nickel, and, on the other hand, that Mond Inc. sold to us nickel copper "matte" from Canada for the processing of metallic nickel for the German market. Our co-operation with Mond Inc. became friendlier from year to year; we informed Mond Inc. fully of our newest inventions in the sphere of nickel, and we constantly supplemented the list of all our nickel patents, which we had handed over to Mond Inc.

When the Mond Nickel Company expressed the desire

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to become fully acquainted with the Oppau process for the production of powdered nickel under English conditions, we unhesitatingly constructed the most important apparatus for the Oppau process, i.e. a carbonyl-distillation - and decomposition- aggregate, for the English plant in Clydach according to our latest experiences; our technicians co-directed the construction of this plant there, and we delivered from Oppau to Clydach some parts of special apparatus, such as the carbonyl measuring mechanism and mixing machine for the condensing of the powdered nickel. After the frame work of the plant there was completed, we sent our chemist Dr. BUENDENBERG, who, as ^aspecialist, carried out the nickel carbonyl distillation and decomposition in Oppau, to Clydach to put the plant there into operation together with the English gentlemen.

All these preparations and the handing over of our entire "know how" were at first carried out with complete confidence in our former friendly co-operation with Mond Inc. without any previous compensation and definite license agreement. On the contrary, in Mond's interests, we had postponed license negotiations until Mond, after operating the experimental plant constructed with our aid, could see for itself how high the prime costs would be in the production of the Oppau powdered nickel carbonyl in England.

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These proceedings, quite unusual, as a rule, in the case of license-discussions, could not, however, to our regret be concluded, because the work of Dr. BUDDENBERG was interrupted through the outbreak of the war and Dr. BUDDENBERG had to return from England to Oppau shortly before the outbreak of the war, using one of the last travel facilities. That the outbreak of the war, putting a sudden stop to our good collaboration with Inco/Mond, came as a surprise to us, is apparent from the affidavit of our Dr. BUDDENBERG.

In this respect, it must also be mentioned, that, in view of the aforesaid relinquishment of our entire "know-how" of the Nickelpowder production, we also had to surrender a large part of our special experiences concerning the production of our Carbonyl-Iron powder, patented in all civilized countries. We did this because we were willing to grant, later on, also the production license for the Carbonyl-Iron process to the Mond Nickel Company, since there was a constant demand for this product in the Electrical Industry in England, in particular for communications transmission.

With regard to the output of our Nickel production, it must be stated that Inco-Mond had granted us

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during the years of our collaboration and in agreement with the British-American authorities, a monthly production of 375 t of Nickel metal for the German requirements as of 1936 and had supplied us currently with the Nickel-Copper Matte, necessary for this production. Shortly before the outbreak of the war, an additional 2124 t of Nickel in form of Canadian Nickel-Copper Matte were at our disposal, according to the records of the Oppauer plants, i. e. there was only a small supply of raw material for about five months at hand, since about 420 t Nickel in matte per month were needed for the above mentioned 375 t of Nickel metal in view of the loss occurring in the process of exploitation. This supply was on the one hand to be considered as rather small and on the other hand was technically conditioned in view of the long transportation distance from Canada via Rotterdam to Oppau, whereby f. i. through the often occurring freezing of the Rhine or through difficulties in the overseas shipment, considerable delay in the arrival of the matte had to be taken into account.

In conclusion I would like to point out, that our work in the Nickel field was by no means aimed at rearmament, but at the production of particularly valuable finished products containing Nickel, like highly-magnetic alloys and accumulator-plates, in order

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to open up in this way special foreign markets for our Carbonyl-Iron- and Nickel powder. In the course of our research work we had also the aim to find a way through rational process of the recovery of Nickel metals from Nickel raw material, to import such Nickel raw materials, which, as is common knowledge, are not to be found in Germany, to Germany in place of Nickel which, up to then, had ^{been} / imported in the form of metal, and thus to give further possibility for work and to overcome the then prevailing unemployment as well as to save considerable foreign exchange by means of buying Nickel raw material at a cheaper rate of foreign exchange.

This Nickel raw material we received within the framework of our collaboration with Inco/Cond for all our Nickel production from Canada, which proves that, at that time, neither we in the I. G. nor our British-American business associates had thought of the possibility of a war.

Ludwigshafen/ Rhein, 27 January 1948.

signed: Leo SCHLECHT

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Foregoing signature of Herr Leo SCHLECHT, residing in
Ludwigshafen/Rhein, Bunsenstr. 4, given before me, Dr. Wolfgang
HEINTZELER, Ludwigshafen/Rhein, Brunckstr. 13, is herewith
certified and attested to, by me.

Ludwigshafen/Rhein, 27 January 1948

signed: Dr. Wolfgang HEINTZELER

Attorney-at-Law

Affidavit

I, Dr.-Ing. Alfred PETERSEN, born on 9 April 1885, resident in Kronberg/Ts., Burgweg 10, was first of all warned that I would render myself liable to punishment if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made in order to be submitted as evidence to Military Tribunal No. VI in the Palace of Justice in Muenberg, Germany.

I did not belong to the NSDAP nor to any of its branches.

Apart from its significance in connection with armaments, a fact which is not debatable, nickel is also in an extensive sphere an indispensable metal to civilian economy in view of modern technical development. Nickel ore does not exist in Germany. One therefore had to import pure nickel or to import the ore and extract the nickel from it in Germany.

Taking into consideration the question of foreign exchange, which for many years has played a decisive part in all such matters in Germany,

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the I.G. decided to make attempts at the processing of nickel "matte" which probably cost the I.G. considerable amounts. As a result of successful research work the I.G. then established a fairly large plant for the extraction of nickel from nickel "matte". I estimate that the costs of the research work and the establishment of this plant were considerable and ran into millions.

If an economic concern such as the I.G. makes a technical invention and thereupon decides to construct, at great expense, a factory for the industrial exploitation of the invention, then it follows that one of the primary and most necessary essentials is the securing of the procurement of the raw materials for some length of time. Since in the case in question the matter pertains to the production of a metal, the securing of the supply could only be effected by either acquiring a sufficiently safe mine or by concluding a long-term supply contract with a mine of this nature. For understandable reasons the I.G. decided on the latter and made an agreement with the International Nickel Corporation according to which the plant was to be supplied with the necessary nickel-containing raw material. Since the plant of the I.G. was located in Germany the distance between Canada,

(page 3 of original)

where the raw material was mined, and the processing plant in Germany was great. Under these circumstances one could therefore not be certain that punctual delivery would not be hampered for some time by all sorts of unforeseen circumstances such as production difficulties in the mines and in the pre-smelting plants in Canada or by catastrophes caused by the weather, strikes or shipping difficulties, etc. A break in the supply of raw material, however, would have constituted extraordinarily large losses for the smelting plants of the I.G. At the same time the I.G. would have had to pay damages to the firms to whom the smelted product (nickel) was to have been delivered, whereby the I.G. would have sustained further losses which would have amounted to very large sums.

Under these circumstances it was not only desirable but foresight made it mandatory that a store of as much Canadian raw material as possible should be established at the German smelting plants in order to guard against the hazards of the production in Canada and of the long shipping distance between Canada and Germany. One could not quickly procure some form of substitute for raw material shipments from Canada which might fail to arrive, especially since the technical installations were adapted to the specific properties of the raw material mined by the Inco.

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The maintaining of a large store at the German smelting works was therefore mandatory in accordance with economic foresight regardless of any kind of thoughts about war or armament.

Every firm with similar tasks had to make a decision in connection with the above-mentioned situation.

Kronberg/Ts., 2 February 1948

signed: Alfred PETERSEN
(Dr. Alfred PETERSEN)

Document Roll No. 41/48

It is herewith certified that the above signature of Herr Dr. Ing. Alfred PETERSEN, Frankfurt a.M., Reuterweg 14, is acknowledged by me.

Frankfurt a.M., 2 February 1948

signed: Signature
Notary.

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Fees

Business value:	3 000 RM
Fee RKO Par. Par.	
144,24,25:	4.— RM
Turnover tax	0.12 RM
	<hr/>
	4.12 RM

(Seal) signed: Signature
Notary.

CERTIFICATE OF TRANSLATION

10 March 1948

we hereby certify that we are duly appointed translators for the German and English languages and that the above is a true and correct translation of Document Book II ~~SAEFLIGER~~.

Hanna Marie BIEBER, Civ. No. B-397 989, (Pages 42-45, 71-75)

.....

Hildegard L. FIRTTEL, Civ. No. 17 415, (Pages 35-41, 57-60)

.....

Gerhard FISCHER, Civ. No. 17 397, (Pages 65-67, 80-84)

.....

Rosl GETREU, Civ. No. 45 572, (Pages 51-54, 72-79)

.....

Paul E. GROPP, Civ. No. B-397 975, (Cover, Index, Certificate,
Pages 47-50)

.....

Hans NICHTENLAUSER, Civ. No. 20 113, (Pages 42-45)

.....

Alfred OBERLAENDER, Civ. No. 20 192, (Pages 1-2, 51-55)

.....

Frederic L. PERA, Civ. No. B-397 943, (Pages 30-35)

.....

Ursula E. RUDMAN, Civ. No. 20 130, (Pages 58-70)

.....

Case 6
Defense

TRIBUNAL VI

CASE VI

DOCUMENT BOOK III

for

PAUL HAEFLIGER

submitted by the
Counsel for the Defense

Dr. Wolfram v. Metzler
Attorney

berg



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for Paul HAEFLIGER, Case VI

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29		Affidavit made by James Fairlie of Belling Lodge, Falkirk, Scotland, Chairman of Messrs. John and James White, Ltd, Chemical Manufacturers, Shawfield Works, Rutherglen, Scotland. The witness states that an international convention had existed since 1929 in respect of the bichromate field and that this convention was founded on purely economic considerations. The witness goes on to state that the I.G. was also a signatory of this convention and that he and representatives of the I.G. had met from time to time. Never had any international political questions been touched upon at these conferences. The witness also confirms that HAEFLIGER had been present at a number of these conferences and that he had never attempted to make political propaganda and that he had never abused these conferences for political purposes. The witness declares that all participants in the convention and throughout all the years always been satisfied with the working of the convention as well as with the attitude shown by the different firms participating in the convention.	1
30		Affidavit made by Alcock Levan Button-Button ⁴ Wilson of Stourpaine Manor, Landford Dorset, at present residing at Ashford Lodge, Patrickswell, County Limerick, Ireland, Chairman of the Eaglescliffe, Chemical Company Ltd. Uxley Hook, Eaglescliffe, County Durham. The witness confirms that the remarks made by the witness James Fairlie are true. He had known Haeffliger since 1930.	
31		Affidavit made by Kenneth Henry Wilson of Park Hall Killersminster, County Worcester, Chairman of Messrs. Albright & Wilson Ltd, Chemical Manufacturers of Oldbury, England. The witness	5

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31 cont'd.		deals with the international phosphorus convention, of which the IG was a signatory and declares that he had made Haeffliger's acquaintance in 1932. He goes on to say that the purpose of the convention had been to reach a suitable agreement as regards production in the phosphorus field in countries which were signatories of the convention, and declares that at no time had political questions of any kind been discussed at the sessions of the convention. He further declares that at these conferences Haeffliger had never made any Nazi propaganda or attempted to gather strategic information about British or other foreign industries. He states in conclusion that Haeffliger's attitude had not been different after 1933 from that which he had previously shown.	
32		Affidavit given by Wilhelm E. Kemp, formerly titular director in the Verkaufsgemeinschaft Chemikalien. The witness describes the reasons which led to the international bichromate convention, of which the IG was a member, and declares that the IG had never used this convention in order to achieve an economic penetration, to collect material for information or to weaken other countries by paralyzing their production. He further declares that the attitude of the IG was the same after 1933 as before and that Haeffliger in particular had never made any attempts along the lines just described.	8
33		Affidavit made by Jodo Schaaf, formerly titular director in the Verkaufsgemeinschaft Chemikalien. The witness deals with the following international conventions: sodium sulphide-, barium chloride-, anti-chlore-, zinc chloride-convention. He declares that the exchange of ideas between the partners always referred only to business problems and that	13

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33 cont'd.		political or military topics had never been discussed. He goes on to state that the IG had never in any way pursued political or military aims at conferences of the convention and that IG in particular had never aspired to a monopoly in the spheres of the convention in question. The witness also states that it was Haeffliker at whose initiative the aforesaid conventions were concluded and who presided over numerous sessions of the convention. He also mentions a friendly address which, in the middle of August 1939, the signatories of the convention had sent to Haeffliker who was absent in Switzerland at that time. This expressed the friendly spirit in which the negotiations were carried on.	
34		Affidavit made by Walter von Auw, formerly Handlungsbevollmächtigter in the Verkaufs-gemeinschaft Chemikalien. The witness makes general remarks on the conventions of which the IG was a partner and declares that an atmosphere of unreserved mutual confidence prevailed between the various partners during all the conferences until the outbreak of war, and that all problems were discussed with the utmost frankness and loyalty. He also states that Haeffliker had never made National Socialist propaganda; he had been too much of a cosmopolitan than to be susceptible to Nazi ideology. On the contrary until the last moment he had considered that it would be the ideal solution if the European countries were merged in a federal union, following the American example. In talks with foreign partners he had repeatedly championed the idea of a United Europe.	19

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35		Affidavit made by Wilhelm Michael SCHNEIDER, formerly Prokurist in the Verkaufsgesellschaft Chemikalien. The witness also deals with various conventions of which the IG was a partner and in summing up declares that all these agreements and negotiations were made in the interest of trade and commerce, and that the representatives, Haeffliger in particular, were never guided by any military or political ideas during these negotiations.	25
36		Affidavit made by the defendant Paul Haeffliger about the policy followed by the IG abroad with reference to magnesium, in particular in the USA. Haeffliger describes the development of magnesium within the IG and the broad- minded policy followed by the IG towards other countries, in particular towards England, France and the USA, the sole reason for which was the desire to introduce magnesium throughout the whole world on as wide a basis as possible. He declares that the generous way in which the IG made available their experience in this field had placed England in a position, by erecting a magnesium plant of its own, to make herself independent of foreign supplies as from 1937; furthermore, that a magnesium plant had also been erected in France in 1931/1932. As regards the magnesium policy followed by the IG in the USA, Haeffliger describes the great difficulties the IG encountered in view of the exceptional circumstances in the USA, in particular as far as the dominating position of the aluminum industry was concerned. The IG had constantly tried to introduce the production of magnesium and its processing in the USA on as broad a basis as possible. He also describes the arrangements made between the IG and the Aluminum Company of America (Alcoa), in which the IG had engaged, with a view to furthering, and not dampening, the production of magnesium in the USA.	30

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36 cont'd.	He further describes the reasons which led to the IG being compelled in 1937 to withdraw their interests in the American Alumininum Corp. in view of the increasing dislike for National Socialist Germany which became apparent in the USA.	
37	Affidavit made by Dr. Otto Fuldner, formerly chemist with the Oppau plant of the IG. The witness describes the attitude taken by I.G., when a nickel plant was erected in Clydach (Siles, England); this was the result of negotiations held with the International Nickel Co. of Canada (Inco) and the Mond Nickel Co, London, and he declares that he was in Clydach even until a few days before the outbreak of war, in order to put the new nickel plant into operation.	47
38	Affidavit made by Dr. Friedbert Ritter, formerly chemist at the Piesteritz plant of the IG. The witness deals with the exchange of experiences between IG and the Federal Phosphorus Co, Anniston/Alabama (USA) and the Monsanto Chemical Co., St. Louis. He declares that IG without reserve had placed their experiences made in the phosphorus sphere, at the disposal of the American firm, so that certain technical difficulties, which had cropped up at the American plant could thereby be removed. The exchange of experiences was continued even up to a time when the war had already started, and that without any of the partners having thought of the possibility of phosphorus being used for war purposes.	50
39	Affidavit made by Gunther Schiller, formerly manager of the Austrian IG Agency. Schiller describes the negotiations in March 1938 between Heefliker and himself on the one hand and the General Direktor of the Oesterreichische Kreditanstalt, Johann, on the other, in connection with the acquisition of the majority of shares of the Skoda-Wetzlar works. He states that at this conference	54

DOCUMENT BOOK III HAEFLIGER

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39 cont'd.		no pressure whatever had been exerted by the IG. He also describes his and Haeffliger's visit to Koppler for the purpose of obtaining the approval for the acquisition of the majority of shares of the Skoda-Wetzlar, and states that the remark made by Haeffliger in the file note dated 6 April 1938 (Prosecution exh. 1072, Doc. Book 52, English page 97, line 12, German page 128, line 3) and pertaining to the training of Austrians in Germany for the employment in the Austrian chemical industry, merely constituted a tactical manoeuvre on the part of Haeffliger, for he (Schiller) had never had any knowledge of such reserves in Austrian personnel in Germany, which he ought to have had in view of the position he held at that time.	
40		Affidavit made by Hans Kehrl, - formerly Generalreferent for Special Tasks at the Reich Ministry of Economy and liaison officer between this Ministry and the Reich Plenipotentiary for Austria, Wilhelm Koppler. The witness declares that he had never - before the Anschluss - conferred with a representative of IG about questions pertaining to the participation of German firms in Austrian enterprises. Besides he had no knowledge that IG had - after the Anschluss - demanded from any authority that the Oesterreichische Kreditanstalt should be pressed to dispose of the Skoda-Wetzlar shares.	59
41		Affidavit made by Wilhelm Koppler, formerly Reich Plenipotentiary for Austria. He confirms that IG had never demanded that his office should exert pressure on the Oesterreichische Kreditanstalt to dispose of the majority of shares of Skoda-Wetzlar.	61

Haeffliger No.	Exh. No.	C o n t e n t s	Page
42		Affidavit made by Karl von Feider, formerly titular director in the Verkaufsgemeinschaft Chemikalien. The witness deals with the remark made by Haeffliger in the file note dated 6 April 1938 (Prosecution Exh. 1072, Doc. Book 52, English page 97, line 12, German page 123, line 3) about the alleged training of Austrians in Germany for the employment in the Austrian chemical industry; he declares that when he perused all the files deposited in the personnel department of the IG Control Office in Frankfurt am Main, which concern the personnel delegated to Vienna by the Verkaufsgemeinschaft Chemikalien he was unable to find any indications which would have permitted of the conclusion that Austrians or Reich Germans had been selected or trained for employment in Austria before the march into Austria.	65
43		Circular dated 5 May 1941 signed by the defendant Haeffliger and addressed to the members of the Chemikalien-Ausschuss (Chemical Committee) concerning the negotiations in respect of the foundation of Nordisk Lettmetall A.S., Oslo. Haeffliger refers to a conference on this subject with the representatives of the Reich, Cejka and Dr. Koppenberg and states the following: "We succeeded, in particular, in having the foundation in Norway effected within the existing Norwegian laws. The application of force has thereby been eliminated and we have ensured the voluntary cooperation of the Norwegian group. This was also expressed by the Generaldirektor autert at a small dojeuner on the occasion of the foundation, at which the Reichskommissariat was also represented. Dr. Koppenberg also spoke on this occasion and four words which gave all of us a rather pleasant surprise."	65

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44		Affidavit made by Dr. Alfred Hoffmann, who was Referent (Regierungsrat) in the department "Chemistry" of the Reich Ministry of Economy at the outbreak of war. The witness relates that during the first period after the occupation of Poland, the trustees for the Polish dye works, among them Winnica, Boruta and Wola, were amongst those appointed by the Department "Chemistry" of the RWM (Reich Ministry of Economy); furthermore that negotiations were held in this respect with representatives of IG, at which he was present. The witness states that he does not remember Haeffliger having taken part in these negotiations and that this appeared improbable to him, since the affairs with which the dye department of IG was concerned did not come within Haeffliger's sphere of tasks.	67
45		Affidavit made by Dr. Heinz Mayer-Regelin, formerly Prokurist in the Legal Department Chemicals of the IG, Frankfurt. The witness deals with the negotiations concerning the lease or the acquisition of the oxygen works in Alsace Lorraine. He declares that Haeffliger had never discussed oxygen matters with him during the two war years in which he (the witness) had worked under Haeffliger, because he (Haeffliger) was not conversant with oxygen matters. He confirms that Haeffliger had no share in the negotiations dealing with the lease or acquisition of the oxygen works in Alsace Lorraine; on the contrary: that the commercial side of these matters was dealt with by Herr Teber-Andreas personally, who was assisted by Herr Ludwig.	69
46		Affidavit by Dr. Hilger van Scherpenberg, Oberregierungsrat in the Bavarian Ministry of Economy. Up to 1 February 1944 the witness was referent for the Scandinavian countries in the department for trade policy of the Foreign Office	72

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cont'd.

and describes the steps taken by I.G. in connection with the expansion and installation of the nickel-mines in Petsamo (Finland), for which the Mond Nickel Co. London, had a concession. The witness states that official German agencies intended to influence the Finnish government to withdraw the concession granted to the Mond Nickel Co; that Haeffliger, however, who participated in the negotiations, expressly advocated that the British-Canadian concession should remain untouched, stressing the friendly relations existing between the IG and the British or rather Canadian firm. The witness further states that the attitude taken by Haeffliger resulted in the fact that the official German agencies desisted from their intention to induce the Finnish government to withdraw the concession, so that the ownership of the mines as well as of all installations already existing and newly developing, remained untouched in the hands of the British-Canadian firm (by means of a credit to the Finnish subsidiary of the British or rather Canadian firm, granted by a German financing syndicate/I.G., Krupp, Metallgesellschaft/).

47

Affidavit by Freiherr Gustaf Waldemar Trede, Helsingfors, who, between 1 September 1943 and 19 September 1944, was managing director of the Petsamon Niekeli O.Y., the Finnish subsidiary of the International Nickel Co. of Canada, Toronto. In this capacity he participated in the negotiations conducted with I.G., especially with Mr. Haeffliger, concerning the expansion and operation of the Petsamo-mines. This witness also confirms that Haeffliger always used his authority to prevent the Petsamo-mines being expropriated, that is, that the concession granted to the International Nickel Co. was not withdrawn by the Finnish government.

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47
cont'd.

Furthermore, the Petsamon Nikkeli O.Y. never demanded excessive exploitation of the mine; on the contrary, Haeffliger always supported the view that the mine was to be worked in accordance with the customary mining principles. He furthermore succeeded in having a higher price paid to the Petsamon Nikkeli O.Y.. Finally the witness states that Haeffliger, in the fall of 1943, informed him (Wrede) about certain efforts made by the German Reichskommissar in Norway, Terboven, to bring the Northern countries under his control, and advised him to draw the attention of the Finnish Government to these efforts, a remark which beyond any doubt entailed personal danger for Haeffliger. Finally the witness states that cooperation between the I.G. and the Petsamon Nikkeli O.Y. was marked by a friendly and loyal spirit on the part of the I.G. and that he (the witness) considered Haeffliger to be a just and fairminded business partner.

I confirm that all documents contained in this Document
Book are true copies of the documents handed over to the
Tribunal.

Nuernberg, 1 March 1948

Dr. Wolfram v. Metzler
Attorney

I, James FAIRBIE of Watling Lodge, Falkirk, Scotland, do solemnly and sincerely declare as follows:-

1. I am the Chairman of Messrs. John and James White Limited, Chemical Manufacturers, Shawfield Works, Rutherglen, Scotland. I am and always have been wholly opposed to Nazi doctrines of every kind.
2. An International Agreement for regulating prices and allocating a fair production quota to all countries concerned in the Bichrome Industry was in operation from the year 1929 until the outbreak of the recent war. The following countries were parties to the Agreement: United States of America, Great Britain, Germany and Belgium with France in association. Either myself or one of my Co-Directors have on many occasions met our colleagues of the other countries to discuss the terms of the Agreement and to adjust various questions that from time to time arose in its execution.
3. The agreement was initiated and operated entirely for commercial reasons. In the difficult period between the two wars, it was felt in all countries that an international understanding was essential not only to eliminate unfair and unhealthy competition between producers, but also to guarantee the consumer a purchase price which would be as stable as possible.

4. The German Group I.G. Farben was associated with the Agreement, but their Bichrome business was only a small fraction of their wide industrial activities. From time to time I, or one of my Co-Directors, met at our International Meetings representatives of the German Group along with those representing the other countries. No questions of International politics ever arose. The Agreement was usually for a period of a year and I can certify that the conferences which were from time to time held were purely business meetings attended by business men with no thought of international affairs except from the angle of securing a fair distribution of raw materials and Bichrome production.
5. I remember that Mr. HAEFLIGER attended some of these conferences as a representative of I.G. Farben. I have no hesitation in stating that he made no attempt to introduce any politics or propaganda and I cannot find in my contacts with him any indication that he was interested in Nazi or German propaganda. No such attempts would have been tolerated by me nor I think by any other member of the Convention. If I had found at these conferences, or in the operation of the agreements, any direct or indirect attempt to secure a favorable position for Germany from a war point of view, I would have denounced it and the Agreement so far as we were concerned would have come to an end.

6. The fact that these Agreements were concluded only for short periods of time gave all parties an opportunity of constantly examining the suitability or otherwise of continuing the international arrangement and as they were renewed over a long period of years it is reasonable to infer that all parties were satisfied not only with the working of the successive Agreements, but with the general attitude adopted by the various companies who were associated with them.

7. Finally, therefore, I desire to state that Mr. HAEFLIGER never attempted to make any improper use for political or propaganda reasons of these Agreements.

And I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1835:

Declared at Glasgow this eight day
of August, 1947, before me

signed (illegible)
Notary Public,
69 St. Vincent Street, Glasgow

signed: James FAIRLIE
James Fairlie

I. ALECK BEVAN HUTTON HUTTON-WILSON of Stourpaine Manor,
Blandford Dorset, but at present residing at Ashford Lodge,
Patrickswell, County Limerick, Ireland, do solemnly and
sincerely declare as follows:-

1 I am the Chairman of the Eaglescliffe Chemical Company
Limited, Urray Nock, Eaglescliffe, County Durham. I am, and
always have been, wholly opposed to Nazi doctrine of any kind.

2 I have read the Declaration of James Fairlie and agree to
the statements contained therein relating to the International
Agreement and the reasons for its initiation. My firm has been
one of the three British Members of this Agreement since 1930
and I have known Mr. HAEFLIGER personally since this date.

3 I met Mr. HAEFLIGER on several occasions at meetings as
a representative of I.G. Farben. I have no hesitation in saying
that at no time did he introduce German or Nazi policies or
propaganda at these meetings, nor did he ever attempt to make
any improper use of these agreements for political or propa-
ganda purposes.

AND I make this Declaration conscientiously believing same
to be true by virtue of the Statutory Declarations Act, 1936.

Taken and declared before me
at 50, O'Connell Street, Limerick.

(sgd.) Aleck HUTTON
Hutton-Wilson
ALECK HUTTON
HUTTON-WILSON

(signature) illegible
(stamp) Commissioner for Taking
Affidavits for the High Court
of Justice.

The literal and correct copy of the above document is hereby
certified,

Dr. Wolfram von METZLER
Attorney

I KENNETH HENRY WILSON of Park Hall Kidderminster in the County of Worcester after having first been warned that I will be liable for punishment for making a false statement solemnly and sincerely declare that the following statement is true and that such statement is made for submission as evidence before Military Tribunal VI, Palace of Justice, Nuremberg, Germany.

1. I am Chairman of Albright & Wilson Limited, Chemical Manufacturers of Oldbury, England, and at all material times in relation to the following statements I have been a Director of that Company.

2. My Company from 1908 or thereabouts has been a party to arrangements for the distribution of amorphous phosphorus and sesqui sulphide of phosphorus, other parties to such arrangements being I.G. Farbenindustrie or their predecessors and Coignet & Cie of France. Records of these arrangements exist and are I believe in possession of my Company.

3. I first made contact with Mr. Paul HABFLIGER who was representing I.G. Farbenindustrie in negotiations which arose in 1922 in connection with the matters referred to above and which negotiations resulted in an Agreement between the parties dated the 23rd January 1923. These negotiations in 1922 related to the renewal of the arrangements which had existed prior to the 1918 war but which had been interrupted by the

war, and took place on the initiative of Svenska Tændstiks A/B Stockholm. The purpose of all these negotiations and arrangements was the allocation of a fair production quota to the three Countries concerned viz: Great Britain, France and Germany and was for commercial reasons only and the objects were to prevent unhealthy competition between the producers and to guarantee to the consumer a stable price.

4. AS representing Albright & Wilson Limited I personally met Mr. HAEFLIGER in joint conference with representatives of the other parties on many occasions from 1922 onwards and in the course of these meetings no questions of international politics were discussed such meetings being of a purely business character and the only point of view with which any one present was concerned was the commercial point of view.

5. I am able to say that during these meetings I was never aware of any political significance or interest shown by Mr. HAEFLIGER. I was unaware whether he was in sympathy with the Nazi cause or not and he certainly made no attempts whatever in the direction of Nazi propaganda or trade penetration nor did he give the slightest indication of any desire to collect strategic information about British or other foreign industries, nor was there the slightest indication that it was desired that the British or French Companies should be in any way crippled in production or otherwise affected in order to prepare for an aggressive war.

6. I am also able to state that the attitude of Mr. HAEFLIGER after 1933 was entirely consistent with his attitude prior to that date and so far as our negotiations and interviews were concerned the coming into force of the Nazi regime was entirely without effect.

7. IF Mr. HAEFLIGER's attitude had been other than as described above neither my Company nor myself would have been willing to continue the arrangements.

AND I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1935.

DECLARED at Birmingham in the
County of Warwick this 3rd day
of October 1947.

sgd. Kenneth H. Wilson
KENNETH H. WILSON

Before me,
sgd. (illegible)
Notary Public

Affidavit.

I, Wilhelm E. KIEP, residing at Oberursel/Taunus (Hesse), Liebfrauenstrasse 44, have been cautioned that I render myself liable to punishment for making a false affidavit. I declare on oath that my statement is true and is made to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

As subordinate to Mr. P. HAEFLIGER from 1930 - 1945, I was chief of the Department G (tanning agents etc.) of the IG Farbenindustrie A.G., Verkaufsgemeinschaft Chemikalien (Sales Combine Chemicals). I was at the same time secretary of the International Bichromate Convention, i.e. from 1930 up to the outbreak of the war. In this capacity all the correspondence concerning this convention passed through my hands. I am therefore, on the basis of my personal knowledge, able to judge the conditions prevailing in this field and at the same time the activity of Mr. P. HAEFLIGER, especially in connection with counts 51 - 53 of the indictment for the IG. Farben trial which were made known to me.

The International Bichromate Convention was formed at the end of 1928 by British, American, Belgian and German Bichromate producers in order to control the sale of chromates on the world markets, excepting the USA. It is an example of international commercial-economic co-operation, not so much with regard to the value of the turnover, but for its world wide activity. In the course of its existence of more than 10 years it also comprised, apart from the Bichromate producers of the above-mentioned countries, the producers of France, Italy, Czechoslovakia and Japan by supplementary agreements. Also with the Soviet Union we once were about to reach an agreement.

Already before world war I, the idea of making an arrangement with regard to the sale of excessive production at reasonable prices and thus avoiding a sale below cost-price as a result of surplus supplies being available, led to an agreement among the European producers, which was terminated by the outbreak of world war I.

During the time that followed, new capacities for production came into existence in the USA, France and Belgium which - protected by high duties in the countries of production, and particularly in times of a crisis - caused ruinous competition on the world market on account of excessive production. This situation was bound to lead to an agreement among the chief producers of bichromate at the end of 1928 which provided for a quota system to be applied in the world market, excluding America.

The percentage of the quotas was calculated on the basis of the previous period. Shortages and excessive deliveries were balanced by deliveries of goods or payments.

The agreement ran for one year and was then renewed; it contained approximately 10 sections which were subjected to only minor amendments in the course of time. No serious differences arose in connection with its interpretation; and the majority vote - as provided for in the agreement - was never applied even in the case of resolutions. All decisions were reached unanimously, a fact which should be sufficient proof of the spirit governing this cartel.

The main principle always was to keep the agreement effective by adapting it to the changes arising in the course of time and thus finding a solution which would do justice to all parties.

The principle applied towards the consumer was to realize just and stable prices and not excessive high prices. In fact export prices were never higher than those charged for home consumption in the countries of production.

At the meetings, which took place several times during the year,

alternatively in England and on the continent, several times also in New York - and at most of which Mr. HAEFLIGER took part, the following was mainly discussed: market situation, question of prices, country-quotes, balance of shortages and excessive deliveries, activities of the outsiders, new agreements with them, points of controversies among the representatives of the individual members abroad. Technical and scientific questions were never discussed nor did a technical representative of the IG ever participate at one of the meetings during the long years the Bichromate Convention existed.

By the way, the classical processing method of bichromate is not a secret; therefore differences in the method of production could only exist in the details, the knowledge of which none tried to obtain from the other. Plants were never visited, thus the IG was quite unaware where most of them were located.

All this should clearly prove that IG pursued only commercial and economic interests by its participation and by its attitude taken during the period of the convention's existence. It was not in the nature of the Bichromate Convention - which was a voluntary combination - nor was it the intention of the IG by exerting pressure, to achieve an economic penetration, to collect strategically informative material, to weaken other countries by paralyzing their production and suppressing their scientific research work. In this connection too, no change took place after 1933, even though after 1935 the Bichromate Convention had to be reported to the government like all other cartel-agreements. As far as I know there was no interference in the management of the IG on the part of the government. Neither is it known to me that they ever received directives for National-Socialist propaganda within the convention or particularly at meetings.

Apart from the fact that none of the IG representatives taking part in the meetings, viz: the late member of the Vorstand Weber-Androne, the defendant Paul HAEFLIGER and the undersigned were members of the Nazi Party and on account of their descent and education refused to adopt any anti-democratic views, the idea of political propaganda in this case is quite absurd. For within the convention, the IG had primarily to deal with representatives from Great Britain and the USA, both countries with the highest democratic tradition. I also wish to mention that at the last meeting in New York in Summer 1938, three of the American participants were of Jewish faith, one of them being the chairman.

To sum up briefly, I am able to testify to the best of my knowledge and belief that the Bichromate Convention consisted of international parties with the object of exercising control over the chromate markets; and since its formation dates back prior to the time of the Nazi regime the motives attributed to the IG by the indictment cannot have existed. The fact that the convention continued to exist under the changed political conditions proves in itself that after 1933 no change took place in the attitude of the IG and thus in that of the defendant HAEFLIGER as well.

Finally I wish to emphasize that Mr. HAEFLIGER neither at the meetings of the convention at which he took part nor towards myself ever passed any remarks which could have justified the conclusion that the IG were availing themselves of the convention in question to reach the objects mentioned in the indictment under counts 51 - 53.

Frankfurt/Main, 7 November 1947

Signed: Wilhelm E. KEMP

.....
WILHELM E. KEMP

DOCUMENT BOOK III HAEFLIGER
HAEFLIGER DOCUMENT No. 32

I hereby certify the above signature, affixed before me Dr. jur. H.
REMMERT, notary in Frankfurt/Main, on 7 November 1947, to be that
of Mr. Wilhelm E. KEMP, resident of Oberursel/Taunus (Hessen),
Liebfrauenstrasse 44.

Frankfurt/Main, 7 November 1947

Signed: Dr. REMMERT

.....
Dr. REMMERT

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Certified literal and true copy of the above document.

Signed: Dr. Wolfram v. METZLER
attorney-at-law

A f f i d a v i t .

Frankfurt a.M., 1 Dec. 1947

I, Bodo SCHAAF, residing in Frankfurt a.M., Kroegestr. 11, have been cautioned that I render myself liable to punishment by making a false affidavit. I hereby declare on oath that my statement is true and was made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nurnberg, Germany.

In November 1914 I took up employment with the Chemische Fabrik Griesheim-Elektron, which was one of the parent companies of the I.G.. Until 1933 I acted as correspondent, travelling salesman, representative and department chief for the Chemische Fabrik Griesheim-Elektron, the sales syndicate Agfa-Griesheim and the I.G. Farbenindustrie. In the year 1934 I was transferred to the Chief Administration in Frankfurt a.M. and entrusted with the direction of the sales department "S". This department mainly dealt with heavy chemicals, especially sulphuric acid and sodium sulphate. Within the sphere of tasks of department "S" I was furthermore in charge of the following sales syndicates: Sodium Sulphide G.m.b.H., Sulphur G.m.b.H., Zink Chloride G.m.b.H.. In this capacity I worked under the direction of Mr. HAEFLIGER, as one of his closest collaborators in the field of the following conventions:

- 1) International Sodium Sulphide-Convention
- 2) International Barium Chloride-Convention
- 3) International Antichlor-Convention
- 4) International Zink Chloride-Convention

Mr. HAEFLIGER was the business man in the I.G. who took the initiative for the establishment of the above mentioned conventions. In numerous instances Mr. HAEFLIGER was requested to take the chair during these convention conferences, which to my mind is a proof of the confidence placed in him particularly by the foreign partners in the convention.

On the basis of my activity as outlined above, I am in a position to give an exact description of the conditions which led to this convention.

I should first like to emphasize that Mr. HAEFLIGER left all decisions on routine business to me and merely discussed matters connected with the convention with me. Sodium sulphide, antichlor and barium chloride are basic products of organic chemistry which are manufactured in nearly all industrial countries and the production process of which may be considered as concluded as far as technique is concerned. The production methods are so simple that sodium sulphide and antichlor e.g., are also being produced in countries with a primitive chemical industry, such as Bulgaria and Greece. The manufacture of sodium sulphide, antichlor and barium chloride is not a primary production; they are in fact by-products also obtained in the manufacture of barium products, bland fixe, sulphur dyestuffs and lithopone. The expansion in the manufacture of barium products, bland fixe, sulphur dyestuffs and lithopone in the U.S.A., England and Germany, which began as early as the middle of the 1920s, brought a large quantity of by-products, which would not be utilized by the countries producing them alone, but had to be sold on other markets.

Zink chloride is a substitute product, inasmuch as the purpose of its production is the utilization of the constant surplus of hydrochloric acid obtained in the alkali electrolysis and the zinc ashes and sediments with zinc contents obtained in galvanization.

Therefore international agreements were planned for the purpose of establishing stable selling prices, which were also in the interest of the consumers. These were fixed at normal standards without exception, all the more so, since any increase would have led to the establishment of new competitors.

As a rule the conventions in this field were for a short term (mostly for one year). Experience showed that particularly these short term agreements were the most stable, because they promoted the will to compromise and the desire for mutual understanding of all participants.

The activity of the convention was purely of a business nature; technical or even scientific questions were never dealt with; since - as shown in my introductory statements - the technical development in the relevant fields was absolutely complete, there was no occasion for discussing technical innovations. The numerous conferences concerned mainly the establishment of the planned adjustment of prices and quantities, which was the result of a settlement of the accounts of the convention as drawn up by a neutral agent; furthermore action against outsiders who were not members of the convention and the settlement of disagreements between the different sales representatives of the participating producers and of course the discussion on the sales prices and conditions to be adhered to. The above mentioned neutral agent was a Belgian, Mr. Alphonse DOGAERTS, Brussels, 43 Chaussee de Charleroi. As far as I remember, Mr. DOGAERTS held this position at least from 1932 until the outbreak of war. The partners in the convention submitted the statistical data required for the completion of the calculations to him. Through these calculations on behalf of the convention, each participant was regularly informed of the sales of each member of the convention. Apart from the adjustment resulting therefrom, these figures were only interesting from a statistical viewpoint. The written as well as the verbal exchange of ideas between the partners of the convention was purely of a business nature; political or military subjects of any kind were never under discussion. Since I participated in all discussions and conferences with the foreign

partners, I am able to confirm with a clear conscience that the gentlemen of the I.G. never pursued political or military aims of any kind during the negotiations; above all I never gained the impression that the gentlemen of the I.G. were in any way endeavoring to achieve the strengthening of the German war potential or the weakening of that of other countries during the negotiations. Neither did the I.G. to my knowledge attempt to conceal from the partners of the convention any data pertaining to the subjects under discussion here, or even try to misrepresent them. The impossibility of such action on the part of the I.G. is also revealed by the fact that the above mentioned international agent, Mr. A. BOGAERTS, was entitled to inspect the books of the I.G., a right which he frequently asserted.

My above statement on the completely non-political and non-military nature of the exchange of ideas between the I.G. and its partners in the convention, applies in particular to Mr. HAEFLIGER. In this connection I should like to emphasize, that during the pertinent negotiations Mr. HAEFLIGER never manifested National Socialist views, he was on the contrary always guided by purely economic aspects. I am all the more in a position to make this statement as Mr. HAEFLIGER, in all our years of collaboration, was known to me as a cosmopolitan and never let himself be governed by narrow national aspects.

Due to their chemical constitution, sodium sulphide, antichlor, zinc chloride and barium chloride are not suitable for long storage. The German producers did not dispose of stocks in excess of a monthly production, either before or after 1933, and not even in 1939; so that there is no question of hoarding of these products for the eventuality of war.

Concerning sodium sulphide, the French and German producers reached an agreement as early as 1927, which in 1930 was extended

so as to include the English and Belgian producers. At the end of 1930 until 1935 the Belgians again withdrew and only an informal agreement between the English, French and German manufacturers remained. From 1936 until 1939 an international convention was again established, in which - apart from the English, French, Belgian and German producers of 1936 - 1938, the Russians also participated (Sojuspromexport Moscow).

As late as 14 days before the outbreak of war, in the middle of August, the English, French, Belgian and German partners in the convention met on the Petersberg near Godesberg on the Rhine and renewed the convention. The friendly spirit which dominated these negotiations is revealed in the enclosed note sent by the participants in the negotiations to Mr. HAEFLIGER, who was then spending a vacation in Switzerland. It seems to me that this note proves convincingly how little the gentlemen of the I.G., who participated in these negotiations, considered the possibility of a war and how absolutely non-political the spirit was which governed this convention. The maintenance of these conventions after 1933 is a clear proof that the I.G. never intended to push the foreign firms aside or to restrict them. If it had planned to do so, it would have withdrawn and entered a competition in prices so as to achieve an increase in export. The opposite is the case: the conventions were not only continued in the customary businesslike fashion after 1933, but several others were added, namely the International Barium Chloride Convention in January 1936, the International Zinc Chloride Convention in March 1936 and the International Antichlor Convention in November 1937.

Neither can the I.G. be considered a monopoly, a position it never held or aimed at, because the securing of the production requirements was guaranteed by the fact that the delivery rights (quotas) of the members of the convention

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were established on the basis of the actual sales within a generally recognized test period. This trend of thought outlined above has always been accepted in chemistry throughout all industrial countries of Europe. In view of the limited space, in which the freight charges were not usually a decisive factor, due to the short distances and the differentiation in the freight tariffs, such cartels, conventions etc. in the chemical sphere under discussion more or less had to adopt the customary economic structure, a development which goes back to the nineties of the last century.

signed Dodo Schaaf
DODO SCHAAF

Documentary Registration No. 467 Year 1947.

I hereby certify and attest the above personal signature of Mr. Dodo Schaaf, residing in Frankfurt a.M., Kroegeistr. 11 affixed before me, Attorney Dr. W. GENTZSCH, Frankfurt a.M. on 5 Dec. 1947.
Frankfurt/Main, 5 December 1947

(seal)
Dr. jur. Wilhelm GENTZSCH
Notary in Frankfurt a.Main

signed: Wilh. Gentzsch
WILH. GENTZSCH

Notary

Fees
R.K.O. fee regulations dated 25 November 1935
Value: 2.000.-
Tax par. 144, 26, 39 3.- RM
Additional tax par. 62
copying fees par. 138, 152
Postage par. 138, 152
Turnover tax 3% 0.09 RM

Total 3.09 RM
signed Wilhelm Gentzsch
WILHELM GENTZSCH

Certified a true copy

Dr. Wolfram v. Metzler
Dr. WOLFRAM V. METZLER

Enclosure:

Reverse side of a menu of the hotel in the
health resort Petersburg near Koenigs-
winter a.Rh., dated 18 Aug. 1939.

(6th General Meeting of the International Sodium Sulphide
Convention.)

18 August 1939

Hang yourself, my good HAEFLIGER, we have renewed the entente and
you were not present!

The historical umbrella has protected your child which is
now 3½ years old. Peace, Joy and the Sun are prevailing on
the Rhine and the dragon of the outsiders was beaten by St.
Michel-Bodo.

signed L. O'Brien
"Hubou
"
" J. Cslet
"
" L. Tschermak
" E. Hodgkin

signedGodard
" St. Michel-Bodo
" Alfred Zoellner
" A. Bogaerts

A f f i d a v i t .

I, Walter von AUW, residing in Bad Homburg, Promenade 43, have been warned that I render myself liable to punishment by giving a false affidavit. I depose that my statement is true and was made to be submitted as evidence to Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

I started work as foreign correspondent for Chemische Fabrik Griesheim Elektron - one of the forerunners of I.G. Farbenindustrie Aktiengesellschaft on 1 March 1921, and I was assigned to the export department, where I had to handle the sale of dyes and chemicals to China and Japan. In 1922 I was in charge of all foreign caustic alkali and bichromate deals within the scope of department A, as it was then called. At the beginning of 1923 I joined the management of Department C, where I took charge of chlorate, phosphorus and phosphoric acid sales, and in this capacity I was responsible for production planning, advertising, and selection of markets. I was given power of attorney (Handlungsvollmacht) in 1924. I played an important role in the formation of the international cartels in this field. On 1 May 1943, after having worked for a time in an advisory capacity in the Frankfurt sales office, I took charge of the newly-founded Danzig sales office, which was responsible for the sale of chemicals (organic and inorganic) in the areas of West and East Prussia, East Pomerania, and the Warthegau.

Through my work described above I have a wide knowledge of the I.G.'s business policy, and believe that I am able to pass judgment on it.

The trend towards achieving closer cooperation by forming international cartels has been evident in the chemical industries of Europe ever since the close of the last century. These cartels operated at first in only a few branches of heavy industry, but expanded more and more as time went on. In particular the conditions prevailing after the first world war, created by increased, and in many places now capacities plus the continual currency fluctuations, caused the cartellization trend to gather strength. It was hoped thereby to stabilize prices, thus benefiting both manufacturer and consumer. Frequently it was actually the consumer-interests, for instance in phosphorus and potassium chlorate, which gave the impetus for the formation of a convention. Thus it was purely economic considerations which gathered the manufacturers of various countries around the green table and led to agreements adapted to Europe's economic structure. It was made a policy to keep prices moderate, so as to forestall the rise of new competition and to create the economic basis for a wider use of their products. Frequently the vital interests of smaller manufacturers

were taken into consideration in that the larger ones ceded part of their quota to them, so as to put them on a wider basis, thus enabling them to lower their actual costs.

Although I attended innumerable closed conferences during my 25 years of service with the I.G. or with Griesheim Elektron, I never had the impression that any political aims were pursued in the management of these conventions, or that the cartels were used in any way for war preparations. On the contrary, I.G. had to defend itself continually against the competent Party authorities because of its international cartel connections and willingness to enter agreements after 1933, and it was frequently exposed to vehement criticism on this account.

As far as I know, the practice in the cartels was to fix sales or shipping quotas only for export markets, giving the manufacturers an entirely free hand in their home markets. Sales statistics and sales prices, which were always available to all partners, were subject to trustee control by confidential delegates. I know of no clauses restricting the manufacturers in their own countries in such a way as to prevent them from rearming.

An exchange of experiences did not usually take place at such conventions, as they were mostly concerned with standard products, the manufacturing technique for which was generally known. But as proof that nothing was kept back in

even in this respect, let me point out that as late as 1939 the I.G. and the French manufacturers exchanged data as to the production methods they employed, as well as the know-how, in the field of chlorates. Apart from this, the I.G., by way of licenses gave information on processes to foreign customers until quite recently, (e.g. license issue for processes concerning phosphorus and phosphoric acid in Monsanto Chemical Co., St. Louis, and license issue for a process concerning perchlors to Pennsylvania Salt Manufacturing Co., Philadelphia).

Up to the outbreak of war the atmosphere of the conferences between the various foreign partners was one of unrestrained confidence, and they discussed all questions with the greatest frankness and loyalty. I can testify especially that Herr Paul HAEFLIGER never indulged in National Socialist propaganda either in correspondence or verbal negotiations. Herr HAEFLIGER was too much of a cosmopolitan to be affected by Nazi ideology. The ideal which he envisaged to the end was rather the union of Europe in a federal state, following the American pattern. I remember that on several occasions he advocated the idea of a unified Europe in private talks with foreign partners and also with people of his own country, and regretted that we were moving farther and farther away from the realization of this idea.

DOCUMENT BOOK III, HAEFLIGER
HAEFLIGER DOCUMENT No. 34

signed: Walter v. AUN

Walter v. AUN

Document Register No. 412 Year 1947

It is hereby officially certified that the above
signature, affixed before me, is that of Walter
von AUN, merchant, residing in Bad Homburg v.d.H.,
Promenade 43.

Frankfurt/Main, 5 November 1947

The Notary Public

Stamp: Dr. jur. Wilhelm GENTZSCH, notary public
in Frankfurt/Main

signed: Wilhelm GENTZSCH

Wilhelm Gentsch

Calculation of fees

Reich Cost Regulations dated 25 November 1935

Commercial value: 2.000...

Fee par. 144, 26 RM 3.—

additional fee par. 62

recording fees par. 138, 152

mailing fee par. 138, 152

turnover tax 3 % " 0.09

total RM 3.09

signed: Dr. Wilhelm GENTZSCH

Notary Public

DOCUMENT BOOK III, HAEFLIGER
HAEFLIGER DOCUMENT No. 34

It is hereby certified that this is a true and faithful copy
of the above document.

Dr. Wolfram von METZLER
Attorney

A f f i d a v i t .

I, Wilhelm, Michael SCHNEIDER, resident at Frankfurt/Main - Eschersheim, Lindenring 37, have been warned that I render myself liable to punishment if I make a false affidavit. I declare on oath that my statement is true and that it was made in order to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

On 1 May 1922 I joined the chemical factory Griesheim-Elektron, one of the parent companies of the I.G. Farbenindustrie A.G., at first as group leader and managing clerk (Disponent) of Department C, which was concerned with the sale of chlorates, phosphorus, hypochlorites, electrodes, etc. On 1 January 1924 I was given Handlungsvollmacht (limited power of attorney), and on 1 May 1928 I was appointed Prokurist; I was appointed to the latter position by the I.G., after Griesheim-Elektron had become a member of the I.G. at the end of 1925. In this department I was at first in charge of hypochlorites and some other products of lesser importance, and soon became second department chief of the Department C and, from 1926 onwards also section chief for potassium permanganate. In 1936 I became sole chief of the said department, assuming charge of the entire sphere of work, so that besides the products already mentioned, I was also in charge of potassium- and sodium chlorate, phosphorus and phosphoric acid. On 1 April 1939 building materials and the sales of a process of the I.G. for surface protection (Atrament) were also added to my department.

In this position and from the dates given (as indicated above), under the direction of Herr Paul HAEFLIGER, whose special task with the Sales Association Chemicals was the supervision and pursuit of the conventions in the sphere of heavy chemicals at home and in particular abroad, I dealt with the international conventions listed below, so that I am in a position to give exact information regarding the negotiations in the spheres in question, and on the attitude taken by the I.G. in general and Herr HAEFLIGER in particular.

Potassium permanganate:

In 1926 the I.G., together with the "Verein Prag/Aussig", founded a convention, which was joined in 1927/28 by Heydon, Radoboua. In 1931 these three partners concluded an export convention with Rhone-Poulenc, Paris, which in the meantime had started the production of permanganate.

Some years later (after 1933), the aforesaid four firms concluded an agreement with Boots, Nottingham, (England), who in the meantime had also started the production of permanganate, and who had been a wholesale customer of the export convention up to that time.

All these agreements were aimed at putting a sound market regulation into effect, for the producer as well as for the customer. Technical questions were not dealt with. The arrangements generally proceeded so smoothly that meetings were necessary only on rare occasions.

Bleaching lyes (Hypochlorite lyes):

From 1927 onwards altogether nine cartel-like agreements were founded one after the other, including five with foreign partners (Belgium, Holland, Czecho-Slovakia, Austria, and Switzerland). They regulated the sale of this quickly decomposing bleaching agent to the textile industry fundamentally in such a way, that each manufacturer disposed of his production as far as possible in the vicinity of his plant, or in his country, thereby serving the interests of the consumers also (fresh goods, lower freight rates for this chemical containing 85% water, etc.)

The I.G. itself manufactured this product after World War I at the following factories: Hoechst, Griesheim, Ludwigshafen, Rhinfelden, Gersthofen, Bitterfeld and Leverkusen. That was why the I.G. had to make an agreement with each one of the competitors who appeared in the market one after the other, for the most part as a result of the pioneering work of the I.G.

Perchlaron (high-percentage calcium hypochlorite):

Collaboration with the I.C.I., London, in consequence of the convention existing between this firm and the German manufacturers of chlor. In the course of the years the I.C.I. turned out a similar product, Maxochlor. The understanding dates back to the years before 1933, and it was not only continued but also deepened. Technical questions were only discussed once, when during the first period of the understanding the I.C.I. was interested in obtaining a licence for the I.G. process; they finally dispensed with it however, as they were satisfied with their own Maxochlor process.

In 1931 the I.G., together with the Pennsylvania Salt Manufacturing Co., Philadelphia, founded the Perchlaron Inc., Philadelphia, with the object of importing into the U.S.A. the more suitable Perchlaron as a domestic bleaching agent instead of calcium hypochlorite. At first the required Perchlaron was supplied by the I.G., but it was planned that a Perchlaron factory, based on the I.G. patents and experience, was to be erected in the U.S.A., as soon as the monthly sales in the U.S.A. reached 100 tons. However, the factory was erected as early as 1934, although the sales had not reached by far the 100 tons per month, and although the I.G., according to the agreement, would have been entitled to the more convenient supply from Germany instead of erecting the factory. By doing this the I.G. turned over to the U.S.A. factory the markets in U.S.A., Canada, Cuba and Haiti. As a matter of course, the factory in the U.S.A. refrained in turn from supplying the markets of the I.G.

Graphite electrodes (key product for electrolyses):

During the years prior to 1939 (foundation before 1933), there existed an agreement between Siemens-Planig, Berlin, Electrodes Acheson, Paris, and the I.G., which guaranteed to the I.G. a few customers in the sphere of the chlor-alkali electrolyses (abroad altogether two customers, one of them in Spain and one in Austria), and by which the I.G. undertook

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to refrain from participating in the field of utilization of electrodes for the electro-thermic production of steel. The existence of this agreement should be a typical proof of the fact that the I.G. did not aim at reaching a position of power; otherwise they would have endeavored of course to develop this field more intensively - in collaboration with their two partners - in order to create a dominating position towards foreign customers in the sphere of the chlor-alkali electrolysis. It is a well-known fact that chlor-alkali electrolysis represents an important key-sphere of the chemical sector.

Potassium chlorate:

International convention between I.G., Sweden, France, Switzerland, Italy and later on, Poland. This convention which already existed before 1930, was in force up to the outbreak of the war. The fact that on 1 January 1931 the I.G.'s quota was 56.5%, while at the outbreak of the war it was 50% only is significant for the position of the I.G. in the sphere of this convention. On the other hand the Swedish quota on 1 January 1931 was 28.17% and at the outbreak of the war 34%, while the other quotas rose from 15.38% on 1 January 1931 to 16% (plus 400 tons per year) before the outbreak of the war. These figures are in my opinion a further proof of the fact that during the years prior to the war the I.G. did not plan to enlarge their position at the expense of the foreign partners.

Sodium chlorate:

In this convention, which also existed prior to 1933, the following countries participated: Germany, Sweden, France, Switzerland, Italy, and (after 1933), England, Norway, Czechoslovakia, and Poland; it came to an end with the outbreak of the war.

Phosphorus:

International convention between I.G., France and England with some subsidiary agreements. Foundation in 1923, in continuation of the phosphorus convention, which already existed before World War I. This convention was in force in the old spirit until the outbreak of World War II.

Phosphorus U.S.A.:

In 1933 the I.G. concluded a licence agreement with Monsanto, St. Louis, by which they licensed to Monsanto their process for large-scale production of phosphorus by means of an electro-thermic method (covered by many patents), under those conditions generally applied internationally.

This process involves the production of phosphorus in special "Mummot" furnaces, which at that time were utilized in a faultless way only by the I.G.. The licensing of this process for the large-scale production of such a war-essential product as phosphorus to an American firm one year before the outbreak of the war should be an absolute proof that the I.G. did not think of withholding their experiences from foreign manufacturers in the interest of hampering or limiting the foreign armament production. I also point to the fact that Dr. Fr. RITTER of the I.G. (at present at Anapstok near Cologne), visited the American phosphorus factory at that time, putting into effect our process as described above and convincing himself of the deficiencies of the American large-scale furnaces in the production of phosphorus.

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Of the aforesaid products governed by conventions, the following ones in particular have to be considered essential for armament in general all over the world:

- 1) Perchloron for protection against toxic gas,
- 2) graphite electrodes as key-product for chlor-alkali electrolysis,
- 3) Potassium- and sodium chlorate electrolyses for the production of perchlorate (explosive),
- 4) Phosphorus for the manufacture of incendiary bombs.

In summing up I wish to say with regard to the aforesaid spheres of conventions:

All agreements and negotiations served exclusively commercial interests, namely the regulation of sales and prices for maintaining the stability of the market. I never had the impression that the Vorstand of the I.G. and in particular Herr HAEFLIGER, to whose sphere of tasks these conventions belonged, were guided by any other intentions than those of establishing a tolerable regulation for all parties concerned and of living on friendly terms with fair competitors. I wish to recall in this connection the aforesaid agreement for germananite with Boots, England, and the agreements likewise concluded after 1933 for sodium chlorate with Vadsheim, Norway, the Staveley Coal and Iron Company Ltd. near Chesterfield, England, etc. If the I.G. had aimed at an exclusive domination of this sphere, a war of prices would in most cases have certainly given them a larger sphere of power than their policy of understanding. Never, not even at any confidential meeting or internal discussion, before or after 1933, did I ever hear of, nor was I able to perceive, a different guiding principle on the part of the Vorstand, which was not in accordance with a fair "business as usual". I wish to emphasize in particular that I never had the impression that the I.G. utilized these convention agreements in order to strengthen the position of the German armament industry or to weaken that of the foreign armament industry. Herr HAEFLIGER never made any statements either to me or on the occasion of the negotiations with the foreign partners in the conventions, which would have led to such a conclusion being drawn; he also refrained in particular from any National Socialist propaganda. During all the years of our collaboration Herr HAEFLIGER always appeared to me as an internationally-minded businessman and never as a man dominated by National Socialist or even militarist ideas.

If the indictment of the I.G. case speaks of thousands of cartels, this expression, which in my opinion is misleading, may be due to the fact that beside the many unimportant arrangements such agreements were also counted as cartels, which are nothing more than a general licensing to interested parties at home or abroad of

- a) Manufacturing processes of the I.G.,
- b) Application methods of the I.G. in all possible sectors of the marketing of their products.

With regard to b) Department C alone had effects more than 100 small

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license agreements for the laboratory for bleaching and fibre decomposition at Griesheim, in the first place in the interest of the customers and in the second a source of income for this laboratory.

The exchange of statistics, customary with conventions, served at all times only the usual balancing with regard to surpluses and deficiencies in deliveries and, occasionally, the equalization of prices.

No technical questions, with the exception of those specially mentioned above, were ever dealt with at the convention meetings.

Frankfurt/Main, 5 November 1947

signed Wilhelm Mich SCHNEIDER
WILHELM MICHAEL SCHNEIDER

Register of Documents No. 301 Year 1947:

The above signature of Wilhelm Michael Schneider, resident at Frankfurt (Main)-Eschersheim, Lindenring 37, recognized and affixed on 5 November 1947 before me, Notary Erwin Zecher, at Frankfurt on Main, is herewith certified and attested by me.

signed Erwin Zecher
ERWIN ZECHER
Notary

Stamp:

Erwin Zecher
Notary at Frankfurt on Main.

It is hereby certified that this is a true and correct copy of the above document.

Dr. Wolfram von Metzler
Attorney

A f f i d a v i t .

I, Paul HAEFLIGER, residing at Frankfurt/4, 39 Schumannstrasse, and at present in Nuernberg, have been warned that I render myself liable to punishment by giving a false affidavit. I declare on oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

In order to describe I.G.'s foreign policy with regard to magnesium, as it appeared after the first Great War, the following preliminary explanations are required for a better understanding of the matter:

As early as after the first Great War, the Chemische Fabrik Griesheim-Elektron, one of IG's constituent firms which had developed magnesium, and IG clearly realized the absolute necessity of international co-operation in this new field since it was intended to give the new metal a chance of successfully competing with aluminium in certain fields of light metal manufacturing. Such international co-operation was the more urgent and necessary since aluminium firms co-operated to a considerable extent all over the world,

consequently such a united front could only be attacked successfully by similar proceedings in the magnesium field.

Of course, there could never be any idea of supplanting aluminium; experts rather considered a share amounting to approx. 10% of the whole light metal manufacture, as the best result attainable. However, by 1933 this optimum had not been reached in any country, and in 1930-1932 the share of magnesium probably did not exceed 1% of the world's light metal consumption.

Furthermore, IG never intend to exclude other countries from magnesium metal production. On the contrary, IG fully realized at all times, that if the light metal re-manufacturing industry of any country wanted to introduce the new metal into its process of highly refined manufacture on a large scale-which in addition entailed new and expensive special installations - the industry could not possibly depend on other countries for the purchase of the basic material, in view of the risks involved in such a procedure. In addition to this, experience in the aluminium sector had already clearly pointed towards the establishment of national plants.

On the other hand IG tried to

learn from the failures in the aluminium field, where lack of methodical management repeatedly entailed crises and where finally, after serious sacrifices, the international aluminium association was founded. Therefore, in foreign transactions, I.G., which held a key position in the magnesium sector, followed the principle of influencing the market to the benefit of all parties concerned in so far as the production to be licensed was to be generously kept in line with existing and probable future requirements and a plant was established only if, owing to pioneering work, a demand guaranteeing sound economic production could be expected. Any other policy in this respect would have entailed too high sale prices and would therefore have handicapped and discredited the import of magnesium metal; it was consequently to be rejected in the interest of all parties concerned.

Thus IG's magnesium policy - described above - by no means aimed at handicapping the market's development. On the contrary, IG was, of course, on principle, quite prepared to license any increase of production provided it had become necessary owing to the increase of consumption which was promoted by IG in every way.

It is therefore definitely wrong and untenable to maintain that IG handicapped or even stopped the development of magnesium metal abroad, particularly in US. The facts are just the reverse.

In which way were these principles put into practice?

ENGLAND.

Shortly after the first Great War close co-operation was started with the firm Hughes & Co. Ltd. London with the aim of arousing interest in the utilization of the new metal combined with the promise to license a magnesium installation in England as soon as the level of consumption had formed a sound economic basis in this respect. This preliminary pioneer work was however delayed again and again owing to considerable technical difficulties and setbacks both in Germany and England.

A more or less satisfactory technical condition seemed to be reached only from about 1930 onwards; however, as it transpired this still in no way satisfied all requirements.

In 1934 England started rearming, and in 1935 IG in England,

along with Imperial Chemical Industries Ltd, London, and the aforementioned firm Hughes & Co. proceeded to establish a magnesium plant of about 4000 t p.a. in accordance with its most recent experiences. The licensing of a capacity increase was contemplated as soon as this should be warranted by the consumption. Furthermore it was agreed upon that IG would import the ever increasing English magnesium requirements until the new plant was able to take over this task itself. From then onwards IG was under the obligation to withdraw from the English market. Since after 1932 consumption in Germany was rapidly increasing too, IG decided to buy up the stock of Dow Chemical Co. (U.S.A.) in order to secure supplies for England, pending completion of the plant there. By doing so IG also prevented Dow from continuing to depress prices on the European market, as a result of its very low actual costs. Since the customers purchasing for further processing were under the obligation - owing to license agreements - to give preference to IG or later to the new English firm, prices being the same, Dow's proceedings, in most cases, constituted competition which was useless for both parties concerned, the more so since prices of magnesium metals were, in any case, always very low. Thus both parties were benefited for several years. Dow's production was

not at all handicapped, but rather promoted.

From about 1937 onwards the English plant may possibly have reached the point where it could itself undertake the task of supplying its country, IG consequently retired. However to some extent Dow continued to import magnesium to England. Thereupon the English government fixed a high protective tariff on magnesium metal and its alloys in order to protect the new plant from being disturbed by any outside influences.

Incidentally, after the outbreak of war, the plant established by IG in England served as a model for the large scale magnesium plant built partly on English initiative in the State Nevada (US), this having a capacity of 50 000 t p.a. can be called by far the largest one in the world. The plant - built exactly like the IG plant - is said to have functioned perfectly from the first day of operation.

FRANCE.

In France the preparations carried out in cooperation with two leading aluminium companies led, to these companies together founding a joint firm, in 1931/32, namely the Societe Generale du Magnesium,

which, to begin with, was given a license for 2000 - 3000 t by IG. This contract too, provided mutual protection for the national marketing areas and ceded furthermore to France a participation in exports to Czechoslovakia, Poland and other continental countries.

U.S.A.

In the US IG's efforts to introduce the use of magnesium metal for manufacture involving further processing started as early as 1923. For this purpose, an independent American financing group founded the Electron Metals Corp., New York. The Chemische Fabrik Griesheim Elektron, granted this company the monopoly, manufacturing patents and the right to produce; in addition to this they were given all processing instructions, all experience concerning production and sale, plants, drawings etc. In spite of the greatest efforts, however, the firm met with complete lack of interest in the further processing industry and had to be liquidated towards the end of 1926.

It was only the Bohn Aluminium and Press Corp. which subsequently in 1928, showed a limited interest, in its Bohnalit piston and received an appropriate license from IG.

After the liquidation of the Electron Metals Corp.

negotiations began with the Dow Chemical Co.. A report has previously been made on the activity in the sphere of magnesium of this important chemical concern. Their annual production cannot have exceeded 500 - 600 tons at that time. During preliminary negotiations proposals were made to them by I.G. to pool, for the purpose of future production, their knowledge acquired, uniting their efforts to obtain a speedier and more general use of this new metal, which had been jointly developed. In as much as Dow, on the basis of bromide "brines", was unable to adapt his capacity to an increased demand, I.G. would propose to collaborate with them in the erection of an additional plant for their process, which was less dependent on raw-material.

Such were, in outline, the proposals which at first seemed to meet with the approval of the Dow Chemical Co. They were frustrated, however, by the rejecting attitude of the Senior Chief, Mr. Herbert DCH, who, like every strong and highly gifted personality loved independence and preferred to rely on his own power and skill.

Nevertheless, there must have been speculation among many people as to why such an important and extremely capable concern such as Dow with its multiple knowledge as pioneer in various spheres failed, until the outbreak of the war, to create a wider demand for the use of magnesium metal in the U.S.A.

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Moreover, Dow was unable to place his moderate magnesium-production in his own country and, for years, had been forced to export a considerable part of it. In this connection the fact must not be overlooked that, according to his geographical position in Michigan, his production was of necessity one for home-supply.

In 1928 the management of I.G. Litterfeldt works, on account of the above-mentioned technical reverses in Germany, was forced to reduce production for a considerable time. On a journey in Germany at this time Mr. SOERENSEN of the Ford Motor Co - or perhaps Mr. Henry FORD himself on the occasion of his visit at the German Ford-works - had been shown, at one of I.G.'s affiliated concerns at Cannstadt established in 1931, an entirely automatic die-casting machine developed locally for the casting of electron metal which seemed of interest to him. This gave him the incentive to investigate in detail the subject of magnesium with regard to its initial applicability in the Ford-factories. In view of Henry FORD's well-known attitude it seemed to him particularly attractive that, as a raw material, magnesium could be manufactured almost anywhere, therefore perhaps also on and from Detroit soil,

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and that he would be manufacturing a light metal which would be instrumental in maintaining his independence from the aluminum monopoly. There was nothing Mr. Henry FORD was anxious to avoid as much as the slightest technical or economical dependence.

This led to negotiations in 1930 between representatives of I.G. at Detroit with Messrs Edsel FORD and SIERENSEN on the subject of the establishment by FORD of a 10,000 ton magnesium metal plant which at that time would have made the U.S.A. by far the largest producer of the whole world.

The question may arise whether this is not in contradiction to the fact of the material's technical immaturity until then. Not at all. The plan was, of course, not one of producing a new car, entirely or chiefly built from magnesium, it was merely projected to introduce certain suitable minor constructive parts made of magnesium alloy. Here one could rely on the Ford Motor Co's enormous technical knowledge in the construction of cars and the fact that once a problem was tackled it would be carried through to its final solution. If Ford, in his then annual manufacture of about 500 000 cars had fitted only 40 lbs of magnesium into each car,

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If Ford, in his then annual manufacture of about 500,000 cars had fitted only 40 lbs of magnesium into each car,

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that is, in all probability, not more than 2 - 3 % of total weight, a capacity of 10 000 tons would just have been sufficient.

This is likewise a blatant example for the policy pursued by I.G.- as demonstrated - to license every capacity for which there was a demand or for which it could be created. Nobody would dare to maintain that, if Ford had introduced magnesium into his construction, I.G. would have refused to license any future expansion beyond the 10 000 tons. They would willingly have done this as a matter of fact and nobody will be ingenious or stupid enough to imagine that Ford would ever have submitted to any restriction.

But even this attempt, on a grand scale, of considerably increasing the application of magnesium metal in the U.S.A. had, unfortunately, a negative result. Close investigation of this matter had obviously led Henry Ford to the opinion that, neither with regard to production nor to application, could his suppositions be materialized to any appreciable extent. I.G. negotiators therefore in their report on his attitude referred to an "amiable refusal" by Mr. Henry FORD who was not personally present at the actual business-conferences but remained in the background. Mr. FORD, at the time, indicated that, with accordingly reduced dimensions, it would in all probability be possible to arrive at equally light constructions by using special steel.

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This opinion, strangely enough, coincided, in 1943, with that of certain technicians belonging to the German aviation authorities.

I shall now refer to the special American conditions. Emphasis must be laid on one important point in determining why the introduction into the U.S.A. of a new light metal was bound to meet with such complete indifference. The U.S.A. dispose of very cheap fuel and the weight of the car was, at that time, of no importance. In building larger cars the increase in weight could easily be balanced by a more powerful engine without appreciably raising the owner's running expenses. In Europe, however, where fuel is several times as expensive, added to the higher tax on bigger cars in many countries, a light-weight car was the obvious requirement, creating the need for light-weight metal. It will be remembered that, at the time, American automobile manufacture was very slow in reverting to the use of aluminum.

Considering the difficulty of making the U.S.A. "aluminum-conscious", it was harder still, if not almost hopeless, to make them "magnesium-conscious". The possible advantage of magnesium as of lighter weight compared with aluminum

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was far too insignificant for American conditions to induce important manufacturing firms to introduce into their serial manufacture a new metal which had so far not been tested sufficiently in practical application. The risk to be run in this connection was not unjustly judged as excessive in comparison with the advantage that might at best be expected.

A special obstacle to the introduction of magnesium alloys into U.S.A. manufacturing-technique was the prohibitive tariff-wall erected by the U.S.A. after the First World War against this light metal. This ruled out right from the start any large-scale demonstration attempts with the assistance of quantities imported for test-purposes. Until the settlement with the Aluminum Company of America (Alcoa), there was also no possibility of producing in the U.S.A. the requisite alloys needed for each test. Displays to Americans interested in the matter could therefore only be made in Germany; and that again presupposed a degree of interest impossible to arouse in the U.S.A.

In appreciation of these facts, and finding it impossible, in spite of efforts continued through many years,

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to effect a procedure in the U.S.A. not connected with aluminum-interests, a problem which also defeated the Dow Chemical Co., the only alternatives left were either to discontinue their activity in the U.S.A., in connection with magnesium, as this appeared to be hopeless, or to associate themselves with the established aluminum industry, that is to say the Aluminum Company of America (Alcoa). The latter solution was decided on with the concomitant realization of thereby transferring to Alcoa the centre of the future development of magnesium metal in the U.S.A.. This led, at the end of 1931, to the foundation of the Magnesium Development Corporation and, at the beginning of 1933, to their participation in the American Magnesium Corporation pertaining to Alcoa, which had existed since 1915 and which was thereby to be reactivated after having been shut down for 17 years.

During the following years I.G. was the driving force which, by renewed suggestions, encouraged these companies to an activity of the utmost possible intensity. There ensued an active exchange of knowledge acquired between reciprocal managements of works, special attention being given by experts to an examination of a possible magnesium-manufacture from American raw-materials, as also of the most propitious locality, in due preparation for the exigency of a considerably increased demand which might exceed the Dow Chemical Co's capacity.

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To reach this goal as soon as possible was I.G.'s chief interest, as their only means of returns for their pioneering efforts of many years' standing.

If, after reference to the Ford-case mentioned above, further proof should be needed of the fact that I.G. policy was aimed at establishing as many manufacturing plants as possible in all industrial countries, then a clause in the agreement concluded between I.G. and Alcoa will also serve as a clear indication of this. This clause provided for the requisite approval of both parties in granting a license for the production of magnesium, with the qualification, however, that I.G. was entitled to demand, without approval by Alcoa, a production-license for their personal requirements by Dupont, General Motors, Chrysler, Nash and Ford. During the period of I.G.'s partnership to this agreement, that is to say until 1937, the above mentioned firms were not interested in manufacturing magnesium, nor was this, apparently, the case after 1937.

In 1937 it was pointed out to I.G. that their 50 % optional participation in the American Magnesium Corporation would render difficult the acceptance of orders in general, and in particular those by the government, in view of increasing opposition to a National Socialist Germany. For this reason,

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and also in view of the fact that I.G. were no longer in a position to contribute additional capital for projected extension of manufacturing plants on account of increasing lack of foreign exchanges, I.G. resolved to yield to this pressure, which was also brought to bear on them by Washington-authorities, and to abandon their optional share so as to avoid interference with development. They continued their collaboration, however, against guarantee of a suitable royalty.

This eventuality did not occur up to 1940, in which year the agreement too came to a close on payment of a moderate cash amount.

I.G., however, reserved for themselves their participation in the Magnesium Development Corporation, since it was then, at the initial stage of development, impossible to estimate the value of this company. Moreover I.G. was of the opinion that their participation, being entirely independent of aluminum-interests, could only be of advantage to the American development.

One should, however, not exaggerate the influence of aluminum-interests on the slow and unsatisfactory development of the application of magnesium in the U.S.A. The reasons mainly decisive in this respect have been demonstrated with sufficient clarity in the statements of this affidavit.

Nuernberg, 27 February 1948

signed Paul HAEFLIGER
Paul Haeffliger

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I herewith certify that herr Paul HAEFLIGER, at present
at the Palace of Justice, Muernber_g, has with his own hand
signed this document before me, Attorney Dr. Wolfram von
METZLER.

Muernber_g, 27 February 1948

signed Dr. F. V. METZLER
Attorney

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Affidavit.

I, the undersigned Dr. Otto BUDDENBERG, residing at Mannheim, Max-Josef-Str. 24, have first been cautioned that I render myself liable to punishment by making a false affidavit. I declare under oath that my statement is true and that it was made in order to be submitted as evidence to the Military Tribunal, Palace of Justice, Muernberg, Germany.

In 1939 I was employed by the IG Farbenindustrie A.G. as a chemist in the nickel factory Oppau, which was under the supervision of Dr. SCHLECHT. In 1934, the I.G. had made an agreement with the International Corporation Company Canada (Inco) and with the Mond Nickel Company London (Lond) according to which the Inco would supply the I.G. with raw material for its Oppau nickel factory while I.G. in its turn would place its experiences with nickel at the disposal of Inco/Mond. On the basis of this agreement the I.G. was asked to establish at the Mond Nickel Company at Clydach, two experimental stations in connection with the Oppau nickel method, a factory for the distillation of nickel-carbonyl and another one for the production of carbonyl-nickel powder. To this purpose, the I.G. supplied a complete set of working-plans with all details for

the Mond Nickel Company to build the establishment, arranged the supply of German special machinery, and supplied also some special parts which had been designed at Oppau (e.g. Carbonyl dosing installations). I myself was asked to assist the Mond Nickel Company during the construction period and, after completion, to set both factories working. I started work at Clydach at the beginning of August 1939. At that time, work on the buildings was already far advanced, the distillation factory was finished first. While I was still engaged with the preliminaries for starting the distillation, the directors of Mond advised me to go back to Germany as soon as possible in view of imminent danger of war, otherwise they could no longer guarantee my safety. I was very much surprised, because when I left for England, there had been no talk in Germany that war was imminent. On 22 August I therefore rang up Dr. SCHLECHT at Oppau in order to find out what the situation was like in Germany. Dr. SCHLECHT too was very much surprised about the feelings in England; he calmed me about the general situation in Germany and did not think a hasty departure necessary at all but asked me to bring my work to an early conclusion to the satisfaction of Mond. Thereupon I stayed two more days at Clydach and was able to set the distillation factory working during that period and duly to hand it over. On the

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evening of 24 August the directors of Mond once more urgently advised me to depart and to go at least to London from wherein an emergency I could leave for Germany more easily and quickly than from Glydach. After another telephonic consultation with Dr. SCHLECHT I followed this advice and after having convinced myself the following day in London from various signs that the situation was really very serious, I returned to Germany on 26 August by one of the last planes to leave.

Ludwigshafen/Rhine, 10 October 1947.

Signed: Dr. Otto BUDDENBERG

.....
Dr. OTTO BUDDENBERG

I hereby certify and attest the above signature by Dr. Otto BUDDENBERG, residing at Mannheim, Max-Josef-Str. 24, which was affixed before me, Dr. Wolfgang HEINTZELER, Ludwigshafen/Rhine, Bruckstr. 13.

Ludwigshafen/Rhine, 10 October 1947.

Signed: Dr. Wolfgang HEINTZELER

.....
Dr. Wolfgang HEINTZELER

Affidavit.

I, Dr. Friedbert RITTER, born 18 February 1900 at Hossisch-Lichtenau, residing at Knapsack, district of Cologne, Dr. Krausstrasse 3, have first been cautioned that I render myself liable to punishment by making a false affidavit. - I declare under oath that my statement is true and that it was made in order to be submitted as evidence to the Military Tribunal No. VI, Palace of Justice, Nuernberg, Germany.

In returning a visit of Director Dr. PISTOR to Anniston, Mr. SWANN of the Federal Phosphorous Co. paid a visit to Piesteritz. The Federal Phosphorous Co. was then running a factory at Anniston-Alabama for the production of so-called electro thermic phosphoric acid by the one-stage-method, i.e., the phosphorus which was produced in the electric oven was at once - by the sucking in of air - burnt to phosphoric acid and this was then washed out of the gasses and produced. In such an oven, elementary phosphorus does not appear at all. - Mr. SWANN showed no particular interest in our method and declined the taking-over of our experiences and patents, as he was convinced that his method was better and

superior to ours. - A few years later, the Federal Phosphorous Co., as far as I am informed, ran into financial difficulties and was acquired by the Monsanto Chemical Co., St. Louis, which some time later closed down the Anniston factory and went over to the two-stage-method which had for a long time past been used by us. With this so-called two-stage-method, phosphorus appears as an intermediate product in elementary form and can at this stage be taken out of the process of production and used for other purposes, e.g., red phosphores, sulphate of phosphorus and a number of other important products. - At that time nobody, of course, thought, that this elementary phosphorus would once be used for the purpose of war, i.e., for incendiaries.

In 1937, negotiations took place with Mr. DUBOIS of the Monsanto, in the administration building of the I.G. Farbenindustrie A.G. at Frankfurt, in the course of which the I.G. stated its readiness to give Monsanto a licence on the patents as developed by the I.G. - The negotiations, however, broke down and were only resumed in Frankfurt the next year, in April 1938, with the result that Monsanto obtained a licence for all our USA patents and any patents which would be developed later, and was given also all possible technical assistance and our complete experience in this field for the development of the methods. - Our experiences in

particular referred to electrodes, the dusting of oven gasses and the condensation of phosphorus, and further to the method of building the ovens and a number of other technical details. - In return, the Monsanto agreed to render a license fee, payment of which was to be distributed over quite a number of years.

In connection with the agreement, several gentlemen from the Monsanto, in particular the then manager of the phosphorus factory in Columbia, Mr. Williams, as well as Mr. Buford and an engineer-in-chief paid a visit to the Priestoritz factory and stayed there several weeks in order to become familiar with all details and to get the necessary designs and calculations. With the help of these data, the Monsanto implemented their factory in Columbia in various important respects.

In response to an invitation from the Monsanto I paid a visit to the phosphorus factory in Columbia and to the phosphoric acid installation at St. Louis in November 1936. I stayed there several weeks in order to discuss with the competent gentlemen from the Monsanto, the measures already taken and to supplement them; joint plans for the construction of new and larger phosphorus factories in the USA were also drawn up.

After my return to Piesteritz towards the end of 1938, the exchange of experience was continued in written form right until the beginning of the war.

Neither the gentlemen from the Monsanto nor anyone among us
thought at that time that phosphorus might be used for the
purposes of war.

Knapsack, 24 February 1948.

Signed: Dr. Friedbert RITTER
(Dr. Friedbert RITTER)

Registration of Deed No. 176 for 1948.

I hereby testify the above signature of Director Dr. Friedbert
RITTER, residing at Knapsack.

Cologne, 24 February 1948.

The permanent deputy for the notary

Dr. B. STEINER

(seal) Signed: signature

Notary Assessor

The verbatim and true copy of the above document is hereby
testified.

Signed: Dr. Wolfram von METZLER
Attorney-at-law

A f f i d a v i t .

I, Guenther SCHILLER, resident of Weinheim a.d. Bergstrasse, Freudenbergstrasse 40, have been cautioned that by making a false statement I render myself liable to punishment. I declare on oath that my statements are true and were made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Muenberg, Germany.

In the beginning of 1929 I joined the I.G. Farbenindustrie Aktiengesellschaft in Berlin, namely the department 'Nitrogen for technical purposes'. From 1936 I acted alternately as manager of the Kaufmaennische Ausschuss Buero - office of the Commercial Committee -, manager of Secretariat 17, and as personal assistant to Dr. ILGER. In 1936 I went to Vienna as manager of the Austrian I.G. Farben representation of the Anilinchemie A.G. With regard to my activities there, I would direct attention to my affidavit of 31 October 1947 which was submitted by Dr. ILGER's Defense Counsel.

A few days after Austria's Anschluss to Germany, which took place on 13 March 1938, an ordinance came out which prohibited German firms from participating in Austrian enterprises on principle, resp. which made such a participation dependent on special approval by the authorities. (English Document Volume 52, page 1.

German Document Volume 52, page 1, Exhibit No. 1058, NI-No-8041).

At the end of March 1938, Herr Paul HAEFLIGER arrived in Vienna, and came to see me after announcing his visit by phone. Herr HAEFLIGER intended to gather information regarding the new situation which had arisen for the I.G. in Austria as a result of the Anschluss and particularly on the conditions - resulting from the above-mentioned ordinance - under which negotiations could be continued with respect to participation in the Skodawerke Wetzler A.G.. In this connection it was planned to contact Herr KEPLER's offices first. Furthermore I arranged a conference with Herr JOHAM, where the urgent personnel problems resulting from the Umbruch were to be dealt with mainly. (New appointments). Thus the discussion mentioned in the letter to Herr JOHAM dated 29 March 1938, which also bears my signature (English Document Volume 52, page 90, German Document Volume 52, page 120, Exhibit No. 1071, NI-3982) took place shortly after Herr HAEFLIGER's arrival. I have the copy of this letter at hand as I am making out this affidavit. I certify that I was a co-signatory of this letter; I furthermore certify that, as far as I remember, the contents of this letter give a correct and full account of this negotiation. As can first of all be seen from this letter, the negotiations concerning the amalgamation of the two firms Skodawerke Wetzler A.G. and Dynamit A.G., formerly Alfred Nobel & Co., Bratislava

were almost concluded before Austria's Anschluss to Germany. Furthermore, this letter shows that after the Anschluss, the Creditanstalt requested I.G. Farben to provide personnel for the temporary management of the Skodawerke Wetzler A.G. This discussion was then, as is apparent from the letter, mainly concerned with the personnel problems arising from the necessity of making new appointments, in which connection I.G. Farben emphasized that it was prepared to make men, and furthermore, other commercial and technical employees available. Following this the sale of the Skoda-Wetzler-shares to the I.G. Farben was discussed, in which connection General Director JOHAN stated, that under the altered circumstances he was prepared to comply with a previous wish of the I.G. to acquire a majority of the shares. The I.G. exerted no pressure whatsoever on their Austrian partners in this direction, particularly since at that stage of the negotiations we still had no idea whether the authorities would approve of the I.G.'s participation in the Skoda-Wetzler A.G. at all. In this connection I would like to point out that at that time, the I.G. was greatly mistrusted, particularly by the Party offices concerned with the Austrian matters, which was also revealed by the appointment of commissioners, mentioned elsewhere in this document. I am wholly convinced that this mistrust was founded on the fact, that until the Anschluss, the I.G. had retained non-Aryan employees in their positions in Austria, despite repeated complaints by Party officials.

In my opinion the lack of any pressure on the part of the I.G. is also revealed by the fact that according to the aforementioned letter of 29 March 1938, JOHAM openly discussed the question of evaluation of the shares, and stated that in his opinion, the future prospects of the enterprise were more favorable due to the Anschluss, and therefore a price exceeding the normal value of the shares would have to be paid. I would also like to emphasize, that as far as I remember, this discussion with Herr JOHAM was conducted in a friendly manner and without any acrimony as was in keeping with the spirit of the negotiations which had been carried on for years.

Following this conversation, as far as I remember, Herr HAEFLIGER and I then visited the then Minister of Commerce, FISCHBOECK, and KEPPLER's office for the purpose of official approval for the project. The outcome of this conversation was also completely positive. While making this affidavit I have before me the memorandum of Herr HAEFLIGER dated 6 April 1938, dealing with his stay in Vienna (Document Book 52, German page 127a ff.) With regard to the initiation of Austrian gentlemen which had already been in progress for some years, and which is mentioned on page 128, line 3, I would like to state the following: In such a statement I can only perceive a tactical manoeuvre on the part of Herr HAEFLIGER against KEPPLER's office;

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on this occasion I heard of such a reserve of personnel for the first time, although I had been dealing with problems of I.G. personnel policy for two years, and in my position at that times I would definitely have known of such a reserve.

Furthermore I would like to point out that according to my knowledge, Herr HAEFLIGER did not participate in the sale negotiations preceding the above-mentioned discussion with Herr JOHAN in Vienna on 29 March 1938.

I no longer took part in the later negotiations which led to the conclusion of a final agreement.

signed: Guenther SCHILLER

Guenther SCHILLER

The above signature acknowledged by me to be that of Herr Guenther SCHILLER, resident at Weinheim a.d. Bergstrasse, Froudenbergstrasse 40, was affixed here before me, Dr. Wolfram von METZLER, Nuernberg, on 31 October 1947, and is hereby certified and attested by me.
Nuernberg, 31 October 1947

signed: Dr. Wolfram von METZLER

Dr. Wolfram von METZLER

Attorney
Assistant Defense Counsel
for the Defendant Paul
HAEFLIGER
Case No. VI.

A f f i d a v i t .

I, Hans KEHRL, at present imprisoned at Muenberg, have been warned that by making a false affidavit I render myself liable to punishment. I herewith declare on oath that my statements are true and were made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Muenberg, Germany.

From 1 February 1938 I was manager of the Textile Department of the Reich Ministry of Economy and Generalreferent for Special Tasks in this Ministry. In my latter capacity, I was delegated to Vienne by the Reich Ministry of Economy in the middle of March 1938, at first as liaison officer between the Reich Ministry of Economy and the "Reich Plenipotentiary for Austria", Wilhelm KIEPLER, and as of May 1938 to Reichskommissar BUECKEL. In both capacities I was concerned with the economic problems which arose from Austria's inclusion into the German economic sphere.

Before Austria's Anschluss to Germany, i.e. before March 1938, I at no time discussed questions dealing with Austria and the participation of German firms in Austrian enterprises with any gentlemen of I.G. Farben.

Furthermore, I do not know of any instance where the I.G. requested an official agency to exert pressure on the Austrian Kreditanstalt Wiener Bankverein.

in order to induce this banking house to sell its shares in the powder factory, Skodawerke Wetzler A.G. to the I.G.

Neither did I ever learn that pressure was exerted in this direction by any other agency, or that the I.G. was credited with having demanded such pressure to be exerted.

Nor did I receive instructions from the Reich Ministry of Economy or from the Plenipotentiary of the Four Year Plan, to intervene on behalf of the I.G. in the matter concerning the sale of the Skoda-Werke shares.

Muernberg, 25 February 1948

signed: Hans KEHRL
(Hans Kehrl)

I hereby certify and attest the above signature, affixed before me, to be that of Herr Hans KEHRL.

Muernberg, 25 February 1948

signed: Dr. GRUBE
Attorney
(Dr. Grube)

Certified a True Copy.

signed: Dr. Wolfram von
METZLER
Attorney

A f f i d a v i t ,

I, Wilhelm KEPPLER, born in Heidelberg on 14 December 1882, at present in Nuernberg, having been cautioned that my declaration is to be submitted as evidence to the U.S. Military Tribunal in Nuernberg, Case VI, and that it is an offence to depose a false affidavit, declare in lieu of oath:

I remember that, after the annexation of Austria, representatives of the I.G. approached me, in conformity with legal regulations, to obtain my permission for the transaction to acquire the majority of the shares of the Skoda-Wetzler Werke A.G. On this occasion it was stated that this was the end of negotiations which had been in progress for a number of years and which were near their conclusion.

As the reasons advanced for the reorganization of the Skoda-Wetzler Werke A.G. and the Carbid-Werke Deutsch-Watrol A.G. appeared reasonable and seemed to be in the interests of Austria, I, for my part, approved the transaction.

In conformity with my general instructions this matter will, most likely, have been passed on by my office, via the Austrian Ministry of Economy, to the State Commissioner for Private Enterprise in Austria, RAFFELSHUBER.

I.G. did not request either me or my agency to apply any pressure whatsoever on the Kreditanstalt in order to make them give up the majority holdings. Neither do I remember that any other agency applied any pressure whatsoever to the Kreditanstalt in order to make them turn over the Skoda-Wetzlar majority to I.G. Farben.

I at no time held any discussion on Skoda-Wetzlar with the I.G. before the Anschluss.

Nuernberg, 2 February 1948

signed: Wilhelm KEPPLER

Above signature, affixed before me, of Herr Wilhelm KEPPLER, identified by _____ is hereby certified.

Nuernberg, 2 February 1948

signed: Dr. SCHUBERT
Attorney-at-Law

A f f i d a v i t .

I, Karl von HEIER, residing at Frankfurt/Main, Grillparzerstr. 83, having been cautioned that I render myself liable to punishment by deposing a false affidavit, declare in lieu of oath that my statement is true and was made to be submitted as evidence to the Military Tribunal No. VI in the Palace of Justice, Nuernberg, Germany.

The counsel for the defendant Paul HAEFLIGER, attorney Dr. von KETZLER, Nuernberg, informs me that, during the former's discussion with Herr VEESEMAYER of the office KEPPLER, in Vienna, on 30 March 1938, according to his own notes (HI-3981, volume 52, page 127), HAEFLIGER stated with regard to the combination Skoda-Ketzler/Nobel combine, as follows:

"I also explained to Herr V. that it should not be a matter for concern if the I.G. was forced to delegate some of its members into the Aufsichtsrat of Skoda-Ketzler and Deutsch-Matrei. This was necessary in order not to lose control and to be able to assist them. The authorities' policy of employing Austrian nationals wherever possible is known to us. We had already made full allowance for this by having Austrians trained at our place for the past few years."

I personally have looked through all files to be found in the personnel department of the I.G. Control Office at Frankfurt/Main, which ^{legal} with employees sent to Vienna by the Verkeufsgemeinschaft Chemikalien, and found no indication that Austrians or Germans were earmarked or trained for employment in Austria after a political annexation of the country before the march into Austria took place.

I still remember that, after the conversation with Herr VEESEMAYER, Herr HAEFLIGER told me of his above-mentioned statements, and when I objected on the grounds that this assertion was not quite in accordance with the facts, he replied that it was only a question of the manner of presentation. He was thinking of people like Dr. HACKHOFFER, who had been working in Uerdingen as an inorganic chemist for quite some time and who, as an Austrian, would probably like to return to his home country if he could retain those things which brought him here to us, namely, the favorable conditions of employment in the I.G., or of Dr. von PONGRATZ whom we put at the disposal of the Anilinchemie A.G., Vienna, as a specialist, developing application possibilities for South Eastern Europe, but whom we could now withdraw from this job and employ in Austria. As far as he knew NW 7 had some Austrians too, who could be released. It does not do any harm if we, too, exaggerate the case when conversing with people like KEPPLER and VEESEMAYER, just like the others do.

I may add that, in the last quarter of 1937, Dr. von PONGRATZ accompanied me on my journey through the Balkans, which had the object of furthering our Jewish chemical agencies, contrary to the wishes of the A.O. (Auslandsorganisation). On this journey we also talked very openly about political questions. I got to know Dr. von PONGRATZ as a genuine Austrian who was no Nazi,

DOCUMENT BOOK III, HABSLINGER
HABSLINGER DOCUMENT No. 42

neither did he even think of a forcible annexation of Austria; he was completely happy with his new job of specialist, developing application possibilities for South-Eastern Europe, particularly as we permitted him to live in Vienna.

From our close cooperation since 1921, I know Herr HABSLINGER, too, to be a Swiss democrat who became deeply outraged at the thought of an act of force against Austria, but who took the annexation in 1938 calmly, because he was convinced that the Anschluss represented the will of the greater majority of the Austrian people and its swift execution saved Austria from a bloody revolution.

signed: Karl v. HEIDER

Karl v. Heider

The above signature of Karl von HEIDER, residing at Frankfurt/Main, Grillparzerstr. 83, recognized by me, has been affixed before me, Holmuth HENZE, Frankfurt/Main, Wiesbaden 12, on 6 February 1948, which I hereby certify and attest.

signed: HENZE

Henze

I herewith certify this to be a true and faithful copy of the original.

signed: Dr. Wolfram von METZLER

Dr. Wolfram von Metzlor

Berlin, 5 May 1941

stamp: Board of Directors-section
Leverkusen I.G. Works
7 May 1941

To the members of Chema:

Director	Weber-Andrees	Ffm.
"	Dr. Ambros	Lu.
"	Dr. Buerger	Bi.
"	Dr. Euehne	Lev.
"	Dr. Wurster	Lu.

Subject: Nordisk Lettmetall A.S. Oslo.

Gentlemen,

I have the pleasure of informing you that the negotiations held in Oslo last Thursday led to a quick solution of the questions still pending, so that steps towards founding the above-named firm could be begun on Friday evening.

During a conference held in Berlin on Wednesday, in the presence of Ministerialdirector GEJKA from the Reich Air Ministry (RLM), Dr. KOPPENBERG and Geheimrat SCHMITZ, and which I also attended, full agreement was also reached on the steps to be taken with regard to the acquisition of the Norsk Hydro-shares.

We succeeded, in particular, in having the Norwegian foundation kept within the limit of the existing Norwegian laws. Thus force has been avoided and the Norwegian Group was persuaded to join voluntarily. This was also mentioned by Generaldirektor AUBERT at a small dinner-party in commemoration of the foundation which was also attended by the Reich Commissariat. On this occasion Dr. KOPPENBERG spoke too, and used expressions which surprised us all and moreover in an extremely favorable way.

The next day, the Nordag A.S./Oslo was founded, in which enterprise we have no share, as is well known. Therefore we have to distinguish in future between the Nordische Aluminium A.G., Berlin, which represents the holding-company, and to which the newly founded Nordag A.S. in Norway is affiliated. Probably the Nordische Aluminium A.G. will also found further establishments within its sphere of competence in other countries.

The Vorstand of the Nordisk Løtmetall consists of 3 members only, namely Dr. Moschel as chairman, and 2 Norwegians, Eriksen and Bruyn. Dr. Walther from the Nordag and Herr Foss from the Norsk Hydro are appointed as directors by the Vorstand, therefore their relationship to the Vorstand is that of employees.

The Aufsichtsrat consists of 11 gentlemen, i.e.:

4	gentlemen of Norsk Hydro
3	" of Nordag
3	" of I.G.
1	government representative (Otto).

The granting of a fourth seat to the Norsk Hydro is to be regarded as a friendly gesture.

Within the Aufsichtsrat a working-committee has been formed, to which certain powers of the Aufsichtsrat were transferred. In this case, too, it was possible to adjust matters so, that the position of the Aufsichtsrat was not too greatly weakened. Generaldirektor AUBERT has been appointed chairman of the Aufsichtsrat. However, he will not become a member of the working-committee but, as chairman of the Aufsichtsrat, he has the right to attend all meetings of the working-committee.

Dr. KOPPEMBERG will be chairman of the working-committee. Furthermore the following are listed as members:

- 1 I.G.-representative (the undersigned)
- 1 representative of the Norsk Hydro (to be nominated)
- 1 government representative (Otto).

In agreement with the Reich Commissariat the hydro-electric power-station Maar - approximately 90.000 KW - was allotted entirely to Nordisk Løtmetall. But not so the large hydro-electric power-station of Toke (approximately 160.000 KW), about which a decision will be made at a later date. However we have been promised that we shall likewise receive a participation in this, the extent of which is still to be decided.

Heil Hitler!
signed: HAEFLIGER

The accuracy and authenticity of the above copy is certified herewith.

Dr. Wolfram von METZLER
Attorney-at-Law

A f f i d a v i t .

I, Dr. Alfred HOFFMANN, Duesseldorf, Benrather Strasse 19, at present manager of the Economic Association Chemical Industry, Duesseldorf, have been cautioned that I render myself liable to punishment by deposing a false affidavit. I declare in lieu of oath that my statement is true and was made in order to be submitted as evidence to the Military Tribunal VI at the Palace of Justice, Auerberg, Germany.

At the outbreak of war I was working as referent (Regierungsrat) in the department chemistry of the Reich Ministry of Economy. During the beginning of the occupation of Poland the chemistry department of the Reich Ministry of Economy appointed, among others, also the custodians for the Polish dye-stuff works, among them Winnica, Boruta and Wola.

In this connection, negotiations in which I participated took place in the Reich Ministry of Economy with gentlemen from the I.G. Farben A.G. As far as I remember, these negotiations were conducted by Herr von SCHNITZLER on behalf of I.G. I do not remember that Director Paul HAEFLIGER participated in these negotiations;

neither does it seem probable that he did so since the affairs of the dye-department of the I.G., so far as I am aware, did not belong to the sphere of tasks of director Paul HAEFLIGER.

Duesseldorf, 17 February 1948

signed: Dr. Alfred HOFFMANN

Signed before me on 17 February 1948, by Dr. Alfred HOFFMANN, as the person making the above affidavit.

signed: Dr. Christian H. TIERCK

Duesseldorf,
17 February 1948

Dr. Christian H. TIERCK
Assistant Defense Counsel
Military Tribunal VI,
N u e r n b e r g .

It is certified herewith that the above is a true and faithful copy of the above document.

signed: Dr. Wolfram von METZLER
Attorney

Frankfurt/Main, 23 February 1948

Affidavit.

I, Heinz MAYER-EGELIN, residing in Altwieslau/Kreis Usingen, have been warned that I make myself liable to punishment by giving a false affidavit. I know that this statement is to be submitted as evidence to the American Military Tribunal in Nuernberg in the case against the I.G. Farbenindustrie A.G., and I herewith declare the following on oath and without being subjected to any duress:

I can confirm that Herr HAEFLIGER did not participate in the work necessary in connection with the oxygen plants in Alsace-Lorraine. At that time Herr WEBER-ANDREAE was still alive and he personally took part in all work connected with oxygen problems. Subordinate to him was Director LUDWIGS, who attended to all the day-to-day work and who, in addition to his work in Department I dealt with the commercial aspects of the oxygen sector and did the preparatory work for Herr WEBER-ANDREAE. Apart from that, the questions arising in connection with the oxygen plants in Alsace-Lorraine were continually worked on by the Gesellschaft fuer Linde's Eismaschinen A.G. Muenchen-Hoellriegelsfrouth, with whom the I.G. (formerly Griesheim-Elektron) had maintained close connections in the oxygen sector since about 1910.

In general I think I am speaking the truth if I say that during the two years of war when I worked with Herr HAEFLIGER, he never discussed oxygen problems with me and that he never took part in any meeting with the Gesellschaft Linde.

I remember quite clearly that Herr HAEFLIGER was a stranger to the oxygen business; occasionally he was working on plans for uniting all the metal sectors on which I.G. worked, in a special Sparte and he often discussed this with me. I suggested that he should also include the oxygen sector as this product was used practically exclusively in autogenous metal processing.

But Herr HAEFLIGER showed hardly any interest and I realized that he had only a very superficial knowledge of the oxygen business and no information whatsoever as to the details.

Signed: Heinz MAYER-VEGELIN

I, attorney-at-law Dr. Wolfram v. METZLER herewith certify and attest the above to be the signature affixed before me by Herr Heinz MAYER-VEGELIN, residing in Altwieslau/Kreis Usingen.

Frankfurt/Main, 23 February 1948

Signed: Dr. v. METZLER
Attorney-at-law

DOCUMENT BOOK III HAEFLIGER
HAEFLIGER DOCUMENT No. 45

This is to certify that the above is a correct and true copy
of the original document.

Signed: Dr. Wolfram v. METZLER
Attorney-at-law

Affidavit.

I, Dr. jur. Hilger van SCHERPENBERG, Oberregierungsrat in the Bavarian Ministry of Economy, residing at Hohenpeissenberg, Hubertushof, Landkreis Schongau, have been warned that I make myself liable to punishment by giving a false affidavit. I declare on oath that my statement conforms to the truth and is made in order to be submitted as evidence to the Military Tribunal No. VI at the Palace of Justice, Nuernberg, Germany.

From 1936 until my arrest by the Gestapo on 1 February 1944 I worked in the Department for Commercial Policy of the German Foreign Office, as specialist for the Scandinavian countries. In this capacity I received direct information on the events described below.

During the period between spring 1940 and August 1941, as well as at various times between 1942 and 1944 negotiations took place between German and Finnish official and unofficial agencies, usually under the direction and supervision of the Foreign Office, concerning the supply of nickel from the nickel mines near Petsamo in Northern Finland.

The Finnish government had granted concessions for these mines to the Mond Nickel Company Ltd., London,

which is affiliated to the International Nickel Co. of Canada, Toronto (hereafter called "Inco/Mond"). As the mines had not yet been completely finished, and in particular the smelting plant and the hydraulic power plant belonging to it were still being built, the question arose as to what form the plant should take when completed and how the nickel production and manufacture should be conducted. Official German agencies, particularly the Four Year Plan, were at that time in favor of persuading the Finnish government to withdraw their concession from the English/Canadian group and to transfer it to a German or German/Finnish Company. In contrast to this Herr HAEFLIGER, who together with Dr. FRANK-FAHLE represented the I.G. Farbenindustrie A.G. during these negotiations, strongly advocated that the English/Canadian concessions should remain untouched. He emphasized that the relations between I.G. and Inco/Mond had always been cordial and that for general considerations and in view of a future reconstruction of normal peace time conditions he would under no circumstances wish to see the Inco/Mond suffer owing to their withdrawal of the concession.

This attitude of Herr HAEFLIGER resulted in the official German agencies abandoning their extensive plans and arrangements being made for a German finance syndicate, consisting of the firms I.G., Krupp and Metallgesellschaft, of the Finnish subsidiary company of the Inco/Mond, the Pötsamon Nikkeli O.Y., to make available the necessary means by granting credits - simply against mortgages - for the completion of the mines, the smelting plant and the hydraulic power plant.

Thus the property rights for the mines as well as all the installations which either existed or were newly set up with the aid of this loan, remained, just as did the concession, in the hands of Inco/Mond.

The administration of the mines, too, was carried out by the Finnish subsidiary company, the Petsamon Nikkeli O.Y. mentioned above; its activities were in no way impeded and it bore the sole responsibility. As far as I know the Inco/Mond received continuous reports from its Finnish subsidiary company both as regards this final settlement and also of the further course which matters took. This went on at least until the entry of the U.S.A. into the war, that is to say, until the U.S.A. declared war on Finland.

I want also to stress in particular that Herr HAEFLIGER has always advocated vigorously that in the nickel delivery agreements which were concluded with Petsamon Nikkeli O.Y. The interests of Inco/Mond should be given full consideration, particularly as regards prices.

Schongau, 22 October 1947.

Signed: Dr. Albert HILGER VAN SCHERPENBERG

Dr. Albert HILGER VAN SCHERPENBERG

I herewith certify that the above signature is that of Dr. jur. Albert HILGER VAN SCHERPENBERG, Oberregierungsrat in the Bavarian Ministry of Economy, residing at Hohenpeissenberg, Hubertushof.

Schongau, twenty-fifth October nineteen hundred and forty-seven.

Stamp: Dr. Hans SCHULZE
Notary in Schongau

Signed: Dr. SCHULZE Notary

Dr. SCHULZE NOTARY

Deposition.

I, Freiherr Gustav Woldemar WREDE, Engineer, residing at Ehren-
sveerdsveegen 3, Helsingfors, have been warned that I make my-
self liable to punishment by giving a false affidavit. I declare
on oath that my statement conforms to the truth and was made in
order to be submitted in evidence to Military Tribunal No. VI
at the Palace of Justice, Nuernberg, Germany.

On 1 September 1940 I entered the service of the Aktiengesellschaft
Petsamon Nirkeli O.Y. as managing director, and worked as such
until the Petsamo territory was ceded to Russia on 19 September
1944.

In these four years I met Director Paul HAEFLIGER three or four
times a year during the negotiations between I.G. Farben A.G.
and Petsamon Nirkeli O.Y. At these discussions Herr HAEFLIGER
was of the opinion from the start that the collaboration between
I.G. Farben A.G. and Petsamon Nirkeli O.Y. should be carried
out in such a manner as to permit the connections with the Inter-
national Nickel Co. of Canada, that is to say with Mr. STANLEY,
being taken ^{up} easily again after the end of the war on the old cor-
dial basis. With this in mind Herr HAEFLIGER always advocated in
Berlin that the Petsamo mines should not be expropriated, i.e.
that the concession which the Finnish government had granted to
the Inco, should not be cancelled.

Thus during these negotiations Herr HAEFLIGER did not expect anything of the officials of the Petsamon Nikkeli O.Y. that could have been interpreted as taking unfair advantage of the situation. And in particular nothing was suggested that would in effect have led to the Petsamon Nikkeli O.Y. ruthlessly exploiting the ore mine; on the contrary: Herr HAEFLIGER was always of the opinion that the mining should be carried out in such a manner as to comply with the standards required by mining specialists. Herr HAEFLIGER further insisted that the Petsamon Nikkeli O.Y. be paid a higher price, which would permit it to write off the additional costs which, owing to war time conditions, would arise in connection with the completion of the mine. In this way the Petsamon Nikkeli O.Y. received an excess price of RM 18,000,000.-

In Autumn 1943 Herr HAEFLIGER informed me of certain attempts which were being made by Reichskommissar TERBOVEN in Norway to bring the northernmost part under his control. At the same time he recommended that I should draw the attention of the Finnish government to these efforts; this must be considered as a statement which no doubt involved personal danger for Herr HAEFLIGER.

Summarizing the above I want to stress that I always had the impression that the co-operation between I.G. Farben A.G. and Petsamon Nikkeli O.Y. was governed by a cordial and loyal spirit on the part of I.G. Farben A.G., and that in our negotiations I always found Director HAEFLIGER to be a fair and straightforward man with whom to deal.

Helsingfors, 27 September 1947

Signed: WREDE.

I, the undersigned, PENTTI LYTIKAEINEN, assistant notary public
in the magistrates office at Helsinki, Finland, herewith
certify that Freiherr Gustav Woldemar WREDE, engineer, has
today made the above affidavit before me and signed it in his
own handwriting; Town Hall, Helsinki, 30 September 1947.

Witness:

Signed: Lasse Sinivirta
Lasse Sinivirta

ex officio:

Signed: Pentti LYTIKAEINEN
Pentti LYTIKAEINEN

Fees and Stamps 80 mk.

No. 7935

Stamp:

Helsingin Maistraatti
Magistraten i Helsingfors

CERTIFICATE OF TRANSLATION

9 March 1948

We, HANNAH SCHLESINGER, MONICA ELLWOOD, AMALIA WIEZER, AUDREY LOVEY, M.E. MASON, H.L. RUSSMANN, hereby certify that we are duly appointed translators for the English and German languages and that the above is a true and correct translation of the Document Book III Haeffliger.

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ETO No. 20081

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Case 6
Defense

DOCUMENT BOOK IV HAEFLIGER.

TRIBUNAL VI

CASE VI

DOCUMENT BOOK IV

for

Paul Haeffliger

presented by the
Defense Counsel
Dr. Wolfram v. Metzler
Attorney-at-Law.



DOCUMENT BOOK IV - HAEFLIGER
EXHIBIT No.

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Documents 48 to 59

Pages 1 to 40

HAEFLIGER No.	Exh. Nr.	Contents	Page
48		Affidavit of Dr. Kurt Krueger, former titular Director of I.G., of 5 February 1948, on developments which lead up to the acquisition of German nationality by Paul Haeffliger. Krueger reports the text of an affidavit which he submitted to the Prosecution on 1 October 1945 and from which it follows that the letter written by Dr. Krueger/van der Heyde to the Wehrwirtschaftsstab. (War Economy Staff) on 11 August 1939 (Prosecution Exh. 2015), was written to suit the National Socialist mentality and, consequently, did not correspond to the true facts. It also follows from the affidavit of 1 October 1945 that Haeffliger did not cooperate in the bringing about of the letter to the Wehrwirtschaftsstab. Krueger states in the affidavit which follows the text of his declaration of 1 October 1945 that he did not inform Haeffliger of the letter before it was despatched.	1
49		Carbon copy of a statement by Paul Haeffliger which he made before the Prosecution on 9 October 1945, and which sets forth his position as regards the letter of Prof. Dr. C. Bosch dated 28 November 1938 (Prosecution Exhibit 2004). In this statement Haeffliger declares that Bosch's assumption that he (Haeffliger) was at that time conducting secret negotiations with the War Ministry was based on an error.	4

DOCUMENT BOOK IV - HAEFLIGER.
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50		Affidavit of James Pels, Tel-Aviv (Palestine), former owner of the firm of James Pels, Hamburg, subsequently James Pels N.V., Holland, dated 10 February 1948. Pels describes the pre-Jewish and democratic way of thinking of Haefflinger as well as the aid and assistance which Haefflinger.	6
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DOCUMENT BOOK IV -HAEFLIGER
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Haeffliger No.	Exh. No.	Contents	Page
(No. 50 contd)		had accorded him at the time of his emigration. The witness states, among other things: "During all this time it was my impression that Herr Haeffliger has tried to make up through mere malice, within the realm of what was possible for all that I had suffered in Germany as a Jew."	
51		Photostatic copy of a reply by the Hessian State Ministry, of 2 June 1947, to Paul Haeffliger, confirming that the law of 5 March 1946 for emancipation from National Socialism and Militarism does not apply to him.	10
52		Affidavit of Ernst S.V. Lustig in Avesta (Sweden), Director of Alby Nya Klorat Fabriks AB, Avesta, and of AB for Konisk och Elektrokemisk Produktion, Trollhättan, on the collaboration between I.G. and Paul Haeffliger under the Potassium Chlorate and Phosphorus Agreement. The witness confirms that Haeffliger never made an attempt to exploit the contract negotiations for political propaganda or for purposes which were outside of the sphere of strict business.	11
53		Affidavit of Karl von Heider, former Titular Director of I.G.'s Sales Combine Chemistry (Verkaufsgemeinschaft Chemikalien), dated 17 February 1948, in which he sets forth Paul Haeffliger's way of thinking as regards the war as well as that of Weber-Andresen, the manager of the Sales Combine Chemistry. The witness declares that both gentlemen always loathed war and that they never believed in a war of aggression by Germany. To substantiate these facts the witness gives excerpts from a series of minutes of the Chemistry Committee which he had before	13

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him. On these minutes he literally says the following: "The minutes in the Chene Meetings which took place between the Munich Conference (September 1938) and the entry into the war of the United States of America (December 1941)

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Haeffliger No.	Exh. No.	Contents	Page
(No. 53 cont'd)		contain a number of decisions which presupposed the continuation of peaceful commercial relations with the respective countries and which would be incomprehensible had the members been convinced of a war, leave alone a war of aggression."	
54		Affidavit of Karl von Heider, former Titular Director of I.G.'s Sales Combine Chemistry, dated 9 March 1948. The witness expresses his opinion on the meeting of 25 September 1941 by the Chemical Committee whose resolutions - as the witness declares - prove that in the field of chemistry it was I.G.'s endeavor to keep its share in the production of chemicals for armaments purposes as small as possible	23
55		Affidavit of Karl von Heider, former Titular Director of the I.G. Sales Combine, of 1 March 1948, on the relations between I.G. and the Solvay Works. The witness states that in particular the long-range contracts concluded for a very important field of chemistry are a further proof to the fact that none of the participants thought that war might break out.	25
56		Affidavit of Karl von Heider, former Titular Director of I.G. Sales Combine Chemistry, of 17 February 1948, on the type of reports made by Weber-Andrese, the manager of Sales Combine Chemistry in the Vorstand meetings,	28
57		Affidavit of Dr. Lee Schlecht, former chemist in I.G.'s Ludwigshafen/Oppau factory, dated 23 February 1948, on the negotiations between I.G. and Edison	30

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Inc., New Jersey, concerning the accumulator process of I.G. in the Nickel field. The witness relates that I.G. without any reservations and in full detail made available to Edison Inc. its experiences in that field, forwarding to them at the same time sample material - and this without an equivalent of any kind - merely relying on Edison's fair policy. The witness states that in the exchange of ideas between Edison and I.G. Haeffliger also participated aside from others. The witness winds up saying: "This again shows that it in no way was our desire to withhold our accumulator process from foreign countries. On the contrary, we took particular pains to bring this process to practical utilization in England and in America."

58

Affidavit of Dr. Leo Schlecht, former chemist of I.G.'s Ludwigshafen/Oppeu factory, dated 3 March 1948, on I.G.'s negotiations with the International Nickel Co. of Canada (Inco), - concerning the supply of Nickel matte by Inco to I.G. as well as on the reasons for the planning and the construction of the Nickel plant of I.G. in Froese (Control Germany). The witness states that because of lack of material and labor shortage the work in Froese made so little progress that test apparatus could be put into operation not before 1940 and that Nickel production could not be started until January 1943. The witness further declares that altogether the plant in Froese produced only approximately 280 tons of Nickel Electrolyte, in other words not even as much as I.G.'s Nickel plant in Oppau produced in one single month. The witness ends up saying: "From this it can be seen

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cont'd)

that the new Nickel installation in Central Germany which from the outset we considered superfluous and which we built merely upon the request of the Berlin government agencies did not make an appreciable contribution to cover Germany's Nickel needs."

59

Affidavit of Walther Ludwig, former departmental business manager in I.G. Sales Combine Chemistry, of 3 March 1948. The witness who from 1932 until 1945 upon instructions of the I.G. Vorstand was in charge of the control and direction of the Vereinigte Sauerstoffwerke (Oxygen Plant's Combine) G.m.b.H. (limited liability company) and who, consequently, was informed of the leasing and/or acquisition of the Oxygen Werke states that at the time when the leasing and/or acquisition was decided Haeffliger was not competent on these questions and that the decision came about at a time when Weber-Androne, the manager of the Sales Department Chemistry, was still alive.

39

AFFIDAVIT

I, Dr. Kurt Krueger, Ramholz Kreis Schluechtern, at present Nuernberg, have been duly warned that I render myself liable to punishment, in the event of a false affidavit on my part. I declare on oath that my statements are true and were made in order to be submitted in evidence to the Military Tribunal No. VI, in the Palace of Justice Nuernberg, Germany.

During my interrogations in Frankfurt (Main) July to October 1945 i.e. I stated the following concerning Director Paul Haefliger:

" My aversion to the national-socialistic Germany, which from 1933 made me feel depressed and unhappy for being a German, induced me in several practical cases in which I was confidentially asked whether a trustworthy acquaintance should remain a German or should become a German, to express my opinion in an unequivocal and accentuated way that, if I should be placed before such a decision myself, I would avoid by all means to acquire German citizenship or that I would respectively seize any opportunity offered to me to acquire another nationality.

In accordance with these feelings when Haefliger told me that he was having difficulties within the I.G. and was afraid of difficulties with authorities on account of his Swiss nationality and that it had been insinuated to him to naturalize in Germany, an idea which must have oppressed him because he would probably be asked in connection herewith to renounce his Swiss nationality, I remember quite well that I strongly recommended him to abstain from acquiring German citizenship. At the same time I declared my readiness that we would make efforts to remove the difficulties arisen for him by endeavouring to obtain the approval of the authorities as regards the maintenance of his personal status.

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The conversation which the Wipo thereupon took up with the competent authorities (Ministry of Interior) had the result that the I.G. wrote a letter to them, the text of which, if I correctly remember, had been previously agreed upon together with the official referent in charge in the said ministry (without the co-operation of Mr. Haeffliger). In this letter the I.G. expressed their interest that Mr. Haeffliger should not encounter difficulties by authorities in connection with his Swiss nationality.

It is perhaps necessary to point out here, that according to the Nazi mentality, any one would become politically suspected who would waive an offered chance to become a German citizen, it being in their eyes a great honour to be accepted as a "Volksgermane". This conception had to be met in the letter in question by over-emphasizing the assurance of the German feelings of Mr. Haeffliger. The same point of view prevailed too as regards the reason which had to be given to justify the supposed interest of I.G. for Haeffliger remaining a Swiss. It had to be a plausible one and so the letter further said that his Swiss nationality could be used to the advantage by the I.G. for dealings abroad.

As this matter was being handled only by me on my own ideas and turn of mind and not being broadcasted by me in the I.G., there could and did not exist in reality any such intention on the part of I.G. when this letter was written, nor did there to the best of my knowledge ever occur any practical case later on in which Haeffliger was commissioned upon the fact of his being a Swiss, to look after I.G. interests abroad.

The whole action was carried through by me solely to help Mr. Haeffliger personally in order to enable him to continue his work within the I.G. without putting him to the necessity to alter anything as regards the status of his Swiss nationality.

Frankfurt a.M., 1st October 1945".

The above statement I hereby make the object of this affidavit.

The remark in the words put into brackets "without the co-operation of Mr. Haeffliger" (2nd paragraph, line 4 and 5 from the bottom) may need an explanation. At the time I had not considered it necessary to first inform Haeffliger of the tactics used by me - the steps initiated with the Ministry of the Interior - to remove the difficulties

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In the sense of the professed thought that the interest of the IG and not Haeffliger's personal interest demanded the desired settlement, I deemed it correct to place Haeffliger with this letter before an accomplished fact especially also in respect of the German sentiments of Haeffliger unduly overstressed in the I.G. letter, the assurance of which in this form I could not have expected of him, since I knew very well his feelings toward his Swiss home country.

Nuernberg, 5 February 1948

(signed): Kurt Krueger
KURT KRUEGER

The above original signature of Herr Dr. Kurt Krueger, Ramholz Kreis Schluechtern, at present in Nuernberg, accepted by me, Dr. Wolfram von Metzler, Nuernberg, on 5 February 1948 in Nuernberg, is hereby certified and witnessed by me.

Nuernberg, 5 February 1948

(signed): Dr. von Metzler
DR. V. METZLER

Attorney-at-Law
Defense Counsel for the
Defendant Paul Haeffliger
Case No. VI

The literal and correct copy of the above document is hereby certified.

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER
Attorney-at-Law

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DOCUMENT BOOK I HAEFLIGER No. 49
EXHIBIT No.

P. Haefliger

As regards the letter Prof. Dr. C. Bosch addressed to me on 28th November 1933 re my becoming a Swiss Consul, I beg to make the following statement:

Dr. C. Bosch is in error in presuming that I was being entrusted with confidential negotiations on the chemical field with the Ministry of war. If such negotiations were conducted, of which I have any recollection, they would have been entrusted and carried through according to the internal competences established and in practice within

the Chemikaliensparte, by Mr. Weber-Andreas himself as the appointed leader or by Mr. Buhl, head of the legal department, or what is even more probable by the competent technical board member Dr. Pister etc. If I had been in charge of such negotiations I would not have accepted consularship, because I might have come into conflict with my own sense of responsibility.

I remember that in my voluntary statement I handed over to C.I.C. re inside facts about inner construction of I.G. Farben of 16th June 45 I mentioned that Dr. Bosch was not much interested in the commercial men and their work as he wanted the technical men to have the load. His error about my activity within the commercial chemical department is therefore quite comprehensible.

Moreover I beg to point out that my very particular secretary, Miss Lubach, who was with me since 1916, from 1927 onwards kept a diary which renders a short account about all my business dealings day by day up to the end of 1937. This diary could be produced at any time and

DOCUMENT BOOK I HAEFLIGER No. 49
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would show the veracity of my statement that I had no
negotiations with the war ministry.

Frankfurt a.M., 9th October 1945.

(signed): Haeffliger
HAEFLIGER

The literal and correct copy of the above document
is hereby certified.

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER
Attorney-at-Law

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DOCUMENT BOOK IV HAEFLIGER No. 50
Exhibit No.

James Pels
58a, Shalom Aleihem Street
Tel-aviv, (Palestine)

4 December 1947

A F F I D A V I T .

I, James Pels, Tel-aviv, Palestine, 58a, Shalom Aleihem Street, have been warned that I shall be liable to punishment if I submit a false affidavit. I declare on oath that my statements are true and that they have been made in order to be submitted as evidence to Military Tribunal VI in the Palace of Justice, Nuernberg, Germany.

Since 1919 I have been the sole owner of the Firm of James Pels, Hamburg, an import and export business in chemical products and dyes. In the course of the years I specialized my business in aniline dyes and in intermediate products of the aniline dye industry. For the most part I dealt in products which were also handled by the "Verkaufsgemeinschaft Chemikalien" (Chemical Sales Syndicate) of the I.G. Farbenindustrie. In the course of my activities I very frequently came into domestic and foreign competition with the I.G. Farbenindustrie; as a consequence in the course of time a joint interest evolved in having a mutual understanding concerning a number of business activities in which we were competitors. This led to negotiations in 1934 with the "Verkaufsgemeinschaft Chemikalien", in the course of which I first became acquainted with Herr Paul HAEFLIGER. Then, early in 1935, my Firm entered into an agreement with the "Verkaufsgemeinschaft Chemikalien", whereby it committed itself, particularly in business in aniline dyes and intermediate products used in the production

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of aniline dyes, to come to an understanding with the "Verkaufsgemeinschaft Chemikalien" regarding such business, both domestic and foreign, under full maintenance of its independence and freedom of action. Similarly, I was to give priority to the "Verkaufsgemeinschaft Chemikalien" regarding offers from abroad. My Firm committed itself to forgo, at the request of the "Verkaufsgemeinschaft Chemikalien" and in return for suitable equivalents, any business deals that might provide competition for the "Verkaufsgemeinschaft Chemikalien".

As already mentioned, I became well acquainted with Herr Haefliger through fairly lengthy discussions in connection with the negotiations held previous to the agreement. It was always a source of confidence for me to know that a Swiss citizen, in the person of Herr Haefliger, was active in the "Verkaufsgemeinschaft Chemikalien" who I knew had no National Socialist views. It was only natural at the time that I had conversations with Herr Haefliger regarding his political opinions, especially his attitude to the Jewish question; and I found him at the time to be an upright democrat of an unfearingly high human^{ist} and spiritual standard, and a person of altogether international views. Herr Haefliger repeatedly emphasized that ⁱⁿ the case of all his acquaintances he had always considered only the individual himself, and that he felt free from all prejudice. In any case Herr Haefliger always conducted himself with courtesy and decency toward me as Jew. I had the impression throughout that he disapproved of the treatment meted out to the Jews in Germany at that time.

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I remember a conversation in 1936, in which he asked me to take courage as a Jew and said that he was convinced that the conditions for the Jews as well would soon become better again.

When the situation in Germany became more critical and I appealed to Herr Haeffliger, in the course of the many private and business conversations late in 1937, to help me in my emigration from Germany and in the transfer of my business to Holland, he instantly and without hesitation agreed. Furthermore, he unselfishly proffered his assistance and that of the "Verkaufsgemeinschaft Chemikalien" - subject to the legal restrictions, of course. He took action at the Reichsdevisenstelle (Reich Foreign Exchange Control Office) to obtain a license for the transfer a part of my property to Holland, and he helped me to establish my new firm in Holland, the James Pels, N.V., by sending some very lucrative business deals to Holland for me. At that time I was selling large quantities of intermediary products to Holland for the "Verkaufsgemeinschaft Chemikalien" for the manufacture of aniline dyes, and I was still in contact with Herr Haeffliger until the outbreak of war. During all this time I had the impression that Herr Haeffliger had been doing everything he could make ^{to} amends through his personal help for what I had suffered in Germany as a Jew.

Shortly before the outbreak of war I left Holland, and I did not hear of Herr Haeffliger again. Concerning his conduct during the war, naturally, there

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is nothing that I can say. After the war Herr Haefliger wrote to me as follows in a private letter:

"You may believe me that I myself and many others did not learn of these inhumanities until after the collapse."

"Even though I am a Swiss citizen, nevertheless, I have lived in this country long enough to be filled with shame over all that has occurred."

I should like to add that my Firm in Hamburg, which had a well known and respected name in the chemical line in Germany and abroad, was a member of the Hamburg Stock Exchange since 1919.

signed: James Pels
James (Isack) Pels
JAMES (ISACK) PELS

Tel-aviv, 10 Feb 1948

Sworn to this 10th day of February, 1948,
at my Chambers at 53, Rothschild Blvd.,
Tel-aviv, by the above-named James Pels,
also known as James Isack Pels.

Seal:

S.B. SASSON
Notary Public
Tel-aviv, Palestine.

Before me,

S.B. SASSON
S.B. SASSON
Notary Public
Tel-aviv

Certified true and literal copy.

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER

Attorney-at-Law.

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Post Card.

Face side.

Frankfurt/Main, 26 June 1947.

Haeffliger, Paul
19.11.1946.

According to the information in your Questionnaire you are
not subject to the Law for the Liberation from National
Socialism and Militarism of 5 March 1946.

Seal
Hessisches Staatsministerium
The Minister for Political
Emancipation
The Senior Public Prosecutor
Spruchkammer, Frankfurt/Main.

The Public Prosecutor
signed: illegible.

Reverse side.

Post Office stamp: Frankfurt/Main
7 July 47.

Official business without
franking privilege.

To
Haeffliger, Paul
19. 11. 86

Frankfurt/Main
Schumannstrasse 39

Hessisches Staatsministerium
The Minister for Political
Emancipation
The Senior Public Prosecutor
Spruchkammer, Frankfurt/Main.

Certified true and literal copy.

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER

Attorney-at-Law.

A f f i d a v i t .

I, Ernst S.V. Lustig of Avesta, Sweden, after having first been warned that I will be liable for punishment for making a false statement in lieu of an oath, state and declare that my statement is true in lieu of an oath, and that my statement is made for submission as evidence before Military Tribunal VI, Palace of Justice, Nuremberg, Germany, as follows:

That I^{as} managing director for Alby Nya Kloratfabriks AB, Avesta, and AB for Kemisk och Elektrokemisk Produktion, Trollhattan, two Swedish limited Companies, have had to cooperate with several functionaries of the I.G. Farbenindustrie in Germany during the years 1929-1939. This cooperation was concerned partly with the distribution of Potassium Chlorate and partly with Phosphorus and Phosphorus Products which are chemicals used in the match industry.

Amongst the representatives of the I.G. Farbenindustrie Mr. Paul Haeffliger was present at most of the meetings and took^a prominent part in the proceedings.

I wish to state here that during our meetings, which took place in different countries once or twice a year, there were never any attempts on the part of Mr. Haeffliger or the other German representatives to introduce propaganda in the negotiations, or to use our negotiations or agreements for other than merely business purposes.

Kansbo, Avesta, the 25th February 1948

signed: E. Lustig
E. LUSTIG

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Exhibit No.:

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Mr. E. Lustig's own signature hereby certified:

signature: Illegible
Avesta

signature: Illegible
Avesta

Certified true and literal copy of above document .

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER

Attorney-at-Law.

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Frankfurt/Main, 17 February 1948.

A F F I D A V I T

I, Karl v. H e i d e r , Frankfurt(Main), Grillparzerstrasse 83, formerly business titular director of the Chemicals Sales Cooperative (Verkaufsgemeinschaft Chemikalien) of I.G., having been duly warned, that a false affidavit on my part will render me liable to prosecution, declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to the Military Tribunal^{VI} at the Palace of Justice in Nuremberg/Germany.

The following statements are based on the reports of the sessions of the Chemicals Committee (called "Chema") from 1930 to 1944 inclusive, which have only now become accessible to me again - with the exception of the reports on the 85th session of 25 September 1941 and on the 57th session.

I myself wrote many of the reports as secretary, for the chairman of the chemicals committee, Eduard Weber-Andreao, who died in October 1943, although the reports were also regularly and very carefully reviewed and improved by Herr Weber-Andreao, and later I helped review many reports prepared by other secretaries (Dr. Kurt Weiss, Dr. Hellmuth Schulze, Hans Ohliger, Clifford Andreao, Dr. Wolfgang Kind, Dr. Harald Graf v. Posadowsky).

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Since Herr Weber-Andreao considered it of extreme importance to prevent once and for all later assertions that proper information about a matter was not forthcoming, he strictly required that the Chema reports were complete; i.e., with the exception of personnel questions when the secretary left the meeting, all points discussed in the meeting concerned and the relative decisions made were listed; moreover, resolutions made outside the meeting in the chemicals field during the interim periods were also incorporated into the reports.

Hence if a point was not mentioned, it meant that it was not discussed and no decision concerning it was made.

I should like to preface the following conclusions arrived at from the Chema reports with the following personal opinion regarding the charge that I.G. had recognized and actively promoted Hitler's rearmament program in preparation for aggressive warfare. I limit myself in my opinion to chemicals, not because I believe that the thoughts and actions in other departments of I.G. were any different, but because I have detailed, material and personal knowledge of many sub-sections in this field in which I worked exclusively since 1921, and have a fair insight into other sub-sections.

Any aggressive intentions of I.G. and a policy of open or concealed weakening of the industrial or armament potential of probable enemy countries, would have been especially apparent precisely in the chemical branch because the products of the chemicals sales cooperative

were predominantly indispensable basic materials and intermediary products not only for the chemical industry in its broadest sense, but for almost all industries in general,

Without being able to give individual instances, I can say positively that Herr Eduard Weber-Andreao, Dr. Bernhard Buhl and Paul Haeffliger with whom I continuously associated, shared my view wholeheartedly, namely, that a new world war would mean insanity and misfortune on an enormous scale, and that I know of no statements whatsoever by any of the other pre-war members of the chemicals committee (Dr. Gustav Pistor, Dr. Hans Kuchne, Dr. Carl Wurster, Dr. Ernst Burger, Dr. Otto Ambros) which show that the individual concerned desired or deemed useful a war or possibly an aggressive war. On the contrary, I recall a conversation with Dr. Carl Wurster at that time, when he spoke most impressively of the criminal madness which a new world war would represent. Each of these men was well versed in the order of magnitude of the regularly published figures of production and delivery of the American chemical industry; he knew that its capacity in all important fields was greater than that of the German industry, he knew from the written record, especially from registered patents, the reports of our representatives concerning competition on the world markets, and from many negotiations with authoritative persons of the foreign chemical industry, that the American and English

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chemical industries were on our own level in the quality of their products, in the development of new processes and equipment, and in research as well, and there where we were still ahead, they were continuously closing the gap.

Each Choma member saw quite clearly that a second world war would again bring about strangulation of Germany which would automatically result in the strengthening of chemical industry with all available means not only in the enemy countries, but also in the countries spared by the war which were our customers. The period following the first world war taught us that those countries would then protect their industries through national compulsory measures such as high protective tariffs, import restrictions, anti-dumping laws, and would later extend this protection to all its new products.

The reports on the Choma sessions which took place between the Munich Conference (September 1938) and the entry of the United States of America into the war (December 1941), contain a series of resolutions presupposing the continuance of peaceful trade relations with the countries concerned, and which would be beyond comprehension had the members been convinced of a coming war or leave alone aggressive war.

By way of illustration extracts of a few such points from the reports on the Choma sessions at this period are listed below.

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56th Session (12 October 1938):

The international bichromat convention will be extended by 3 years.

The amalgamation of 2 Canadian agencies is being considered.

The licensing of our phosphoric acid process to the Tennessee Valley Authority is approved on principle.

The licensing of our process for the decomposition of iron-sulphate to the National Lead Co. is approved on principle.

The issuance of a license for Egypt concerning the filling of lamps with crypton, through a German-French group to an Hungarian group, is approved.

58th Session (16 December 1938):

I.G. participated to the extent of 22.2% in the purchase of Cellulosa, Argentina, by Duperial (subsidiary of Du Pont de Nemours, Wilmington, U.S.A., and Imperial Chemical Industries, London), Solvay et Cie., Brussels, and I.G.

A French-German group to which I.G. belongs, wants to erect a sodium-chlorate factory in the U.S.A. with 2 American firms, and to participate with a one-third share.

The I.G. polystyrol process is to be licensed to Etablissements Kuhlmann, Paris.

If Imperial Chemical Industries, London, should not accept the offer to license to it the I.G. process for polystyrol, then the process is to be offered to the British Distillers Co.

The agreement between the International Bichromate Convention and Etablissements Kuhlmann is to be revised.

59th Session (15 January 1939):

Technicians who are to be sent abroad for a longer period of time, are to be introduced to the Chem members.

A technician is to be sent to France to promote sales.

I.G. wants to replace the current license for the Norwegian Soederberg electrode process by a bulk payment.

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Reports are made of the negotiations for issuing synthetics licenses to U.S.A., England, France and Italy.

Participation in the Industria Quimica Colombiana S.A., Medellin (Colombia) (a wood carbonization plant) is approved subject to prior technical investigation.

The Chorn approves mutual participation in the Egyptian Salt and Soda Company together with Solvay et Cie., Brussels, and Imperial Chemical Industries Ltd., London.

60th Session (6 March 1939):

I.G. participates in Productos Quimicos Industriales H.Hamers, Rio de Janeiro.

To improve prices for magnesium alloys in Japan, negotiations are to be started with Dow relative to establishing import quotas.

Technicians of Imperial Chemical Industries Ltd., London, Solvay et Cie., Brussels, and Verein fuer Chemische und Metallurgische Produktion, Prague, have investigated our Bitterfeld chlor-alkali-electrolysis in accordance with our pool agreement (Poolvertrag).

Negotiations are being conducted with the Russians regarding readmittance into the sulfur-sodium convention.

Haefliger reports on the willingness of the English, Belgians, and French to establish an international bisulfite-sulfite convention.

Conclusion of molybdenum ore delivery agreements between the German-international convention and Climax Molybdenum Co., i.e., Greene Cananea Copper Company.

Extension of the acetic acid agreement between Shawinigan Chem. Ltd., Wackerechemie Muenchen, Lanza, Basel, and I.G. relative to the production of acetic acid in Scandinavia.

62nd Session (13 April 1939):

The Carbo-Norit-Union agreement between I.G., Metallgesellschaft, Prager Verein, Urbain Paris, Norit Maatschappij Amsterdam, is to be revised with reference to a loyalty clause.

Attempts will be made to reach international agreement regarding lithopane, even at the sacrifice of quantity.

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Reports are made on the following license negotiations in the field of synthetics:

- (a) polystyrol - Etablissements Kuhlmann, Paris, draft agreement is reported;
- (b) Imperial Chemical Industries Ltd., London, have not replied to our polystyrol offer. We have other interested parties;
- (c) The Igalita-P.C.U. license to Acma, Milan, has been issued.

A license for liquified chlorinated hydrocarbon to Hooker Electrochemical Co., New York, is approved.

63rd Session (15 May 1939):

The decision is again made to participate in the sodium-chlorate project in the U.S.A.

Haefliger reports on the sulphur-sodium-convention negotiations and the difficulties caused by Dutch and Prague competition.

The sales policy for bichromate abroad, especially for Canada, is established after the Americans have revoked the convention.

The exchange of information in the pool for chloro-alkali electrolysis with I.C.I., Solvay and the Prague Verein, was continued with the inspection of the Belgian installations.

Contrary to the proposal of Chemnyco to license the chloro-hydrogen process not to Hooker, but to the Pennsylvania Salt Manufacturing Co., Chema Hooker wants to issue a simple license so that the process can also be licensed to Pennsalt.

Technical auxiliary aid to the Boick Felix & Co. firm, Mexico, is discussed relative to various products, but such aid is made contingent upon an agreement concerning sales.

64th Session (31 May 1939):

The cyan-sodium convention was extended for 1 year.

Negotiations relating to lithopone are being conducted with the English, Belgian, and Italian groups which negotiations will presumably lead to the establishment of an international convention.

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The bichromate convention revoked by the Americans, is to be continued by the European members. Negotiations will be conducted with the Americans only if they act in a group.

The sodium-chlorate convention has been extended following concessions to the English group.

A report is made on the very promising negotiations for the extension of the international calcium-chlorate convention.

The international phosphorus convention is extended.

Dr. Buerger recommends an exchange of processes with I.C.I. in the field of perchloron, which is agreed upon if sales quotas are previously established.

The Carbon and Chemical Corporation, New York, was given a license for the Knapsacker acetic-acid anhydrid process.

The trip of Dr. Tochtermann to the U.S.A. is approved.

65th session (2 August 1939):

The exchange of information in the electrolysis pool with I.C.I., Solvay, and the Prager Verein was continued with the inspection of an I.C.I. installation. The information exchange is to be extended to include perchloron.

There is still a prospect of concluding the international lithopone convention.

Haefliger recommends the assignment of a technician to Manchuria to work on large technical projects in this large delivery area.

Shawinigon Chemical Co. (Canada) is to be given a license for the I.G. process for the manufacture of acetylene and also of glycol from acetylene, since it is desired to increase relations with this firm. (It should be noted that poison gas can be manufactured by way of acetylene and glycol.

Haefliger reports on further negotiations concerning a sodium-chlorate installation for the U.S.A.

The carbonic disulphide process is to be licensed to China.

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67th session (7 November 1939):

There are no misgivings as to selling a Tanigan special license (tannin license) to Russia.

68th session (15 December 1939):

The delivery of two chloro-alkali mercury cells to the Greek Eta artificial silk factory is approved. (In the 69th session it was decided to urge Solvay - Brussels to first allow a preferential price for caustic soda to this firm, before agreeing to the delivery of such electrolytic cells).

Chem states its agreement with the licensing of the Leverkusen phenol process to the Sociedad Bilbaina de Minerales y Metales, Bilbao (Spain), but it rejects financial participation in the firm.

I.G. states its agreement with the licensing of its thiokol and perduran processes to the Thiokol Corporation, Trenton (U.S.A.).

70th session (14 March 1940):

It is decided to assign a technician to Manchuria as suggested by Hasfliger in the 65th session. (This decision is confirmed in the 71st session since Sparte I has a chief engineer (Oberingenieur) who has already received information for chemicals relative to the projects concerned).

72nd session (23 May 1940):

The suggestion to enter a general exchange of information with the American Cyanamid Co. is rejected, but I.G. is prepared to license to that firm its cyan-sodium process.

78th session (11 December 1940):

The chemicals Sparte has no interest in purchasing the majority shares of the Union Chimique Belge S.A., Brussels.

80th session (28 March 1941):

An offer to the Roehm & Haas firm, Philadelphia, for the purchase of the U.S.A. wofatite patents of I.G. at a low price is to be brought up for discussion among the technicians, the patent department, and the commercial staff.

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83rd Session (9 July 1941):

Chema is not interested in the purchase of a block of shares of the Rio Tinto pyrite mine in Spain, unless purely technical financial grounds speak in favor of such a purchase.

(signed:) Karl v. Heider

KARL V. HEIDER

Sworn to and signed before me, Dr. Wolfram von Metzler, on 17 February 1948 at Frankfurt (Main) by Karl v. Heider, residing at Frankfurt (Main), Grillparzerstrasse 83, known to me to be the person making the above affidavit.

Frankfurt a.M., 17 February 1948.

(signed:) Dr. v. Metzler

DR. V. METZLER

Attorney-at-Law

I herewith certify that the above is a true and correct copy of the original.

Dr. Wolfram von Metzler

DR. WOLFRAM VON LETZLER

Attorney-at-Law

Frankfurt/Main, 9 March 1948

A f f i d a v i t .

I, Karl v. H e i d e r , Frankfurt/Main, Grillparzerstrasse 83, formerly commercial titular director of the I.G. Verkaufs-gemeinschaft Chemikalien (I.G.'s joint sales organization for chemicals), have been duly cautioned that I shall be liable to prosecution if I make a false affidavit. I declare on oath that my testimony is the truth and that it was given to be submitted as evidence to the Military Tribunal VI at the Palace of Justice, Nurnberg, Germany.

By counsel for defendant Paul H a e f l i g e r I am shown the transcript of the 85th session on 25 September 1941 of the chemicals committee. The following decisions show that in the chemicals field I.G. tried to keep their share of productions for armament purposes as low as possible:

" Further development of the production of cryolite/aluminium fluoride, I.G. (Leverkusen and Ludwigshafen/Oppau) will leave to other firms".

" On account of I.G.'s considerable capital requirements for other tasks, the Chema (chemical committee) is of the opinion that I.G. should adopt restraint regarding the development of aluminium oxide production."

"Chema concurs with H a e f l i g e r ' s exposition according to which the Erzgesellschaft (ore corporation) has accomplished its objects, after the direct participation in mining affairs of those chiefly interested in ores. As by reason of this, new tasks for the Erzgesellschaft are not to be expected, Chema advocates dissolution of the company."

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This suggestion will, however, not come from ourselves but from the chairman of the company's Aufsichtsrat, Herr F i t z n e r ."

" The question of the desirability of the construction by Leverkusen of a new sodium cyanide plant is under consideration. In this connection it is pointed out that the German capacity of sodium cyanide (Ludwigshafen/Logussa/ Kolin/Dessau) including Stikstofbinding Iordrecht meets the present German requirements. Moreover, an increased yield of sodium cyanide as the result of the erection of a prussic acid washing installation at the desulphuration plants (Klausmethod) set up in the Ruhr by Leuna, is to be expected. Leverkusen will consequently desist from the construction of a new sodium cyanide plant for the time being."

signed: Karl v. Heider

KARL V. HEIDER

Sworn to and signed before me this 10 March 1948 at Frankfurt/Main by Herr Karl v. Heider, residing at Frankfurt/Main, Grillparzerstrasse 83, known to me to be the person making the above affidavit.

signed: Dr. R. v. Keller

DR. R.V. KELLER

This is to certify that above document is a true and correct copy of the original.

Dr. Wolfram von Metzler

DR. WOLFRAM VON METZLER
Attorney-at-Law.

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A f f i d a v i t

I, Karl v. H e i d e r , Frankfurt/Main, Grillparzerstrasse 83, formerly commercial titular director of the I.G. Verkaufsgemeinschaft Chemikalien (I.G.'s joint sales organization for chemicals), have been duly cautioned that I shall be liable to prosecution if I make a false affidavit. I declare on oath that my testimony is the truth and that it was given to be submitted in evidence to Military Tribunal VI at the Palace of Justice, Nuernberg, Germany.

On 12 December 1938, regarding the field of chlor/alkali electrolysis, Imperial Chemical Industries Ltd., London, Solvay Et Cie., Brussels, and I.G. concluded the so-called Commercial Pool Agreement, in conjunction with a corresponding Technical Pool Agreement of the same day, to which the "Verein fuer Chemische und Metallurgische Produktion" of Prague was also a party. These fundamental agreements were to remain in force until 31 December 1953, thereafter to be automatically extended for periods of 10 years each if not terminated by 3 years notice.

In the endeavour to effect long-term consolidation in the German market of the relations between I.G. and Deutsche Solvaywerke A.G., Bernburg, which belonged 75% to Sovay et Cie. and 25% to I.G., all existing agreements between I.G. and Deutsche Solvaywerke were re-drafted in the form of a cover agreement with a number

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of sub-agreements, and they, too, were concluded on 12 December for the duration of the Commercial Pool agreement. These sub-agreements included among others, the long-term agreement existing since 1924 between Solvay Et Cie., Deutsche Solvay-Werke and I.G., whereby I.G. renounced the production in Germany of calcinated soda for purposes other than nitrogen products, while Solvay Et. Cie., and Deutsche Solvay-Werke undertook to abstain from the production in Germany of nitrogen, dyestuffs, pharmaceutical preparations, and photographic materials, an agreement therefore regarded by the participants as the fundamental pillar of their policy.

If the fact alone of the conclusion, at this time, of long term agreements in a very important field of chemistry by these large chemical firms after very thorough negotiations, was sufficient proof that none of the participants believed in the imminence of war, this peaceful attitude was most pronounced by the unexpected effect of the above-mentioned coupling of the German agreements to the Commercial Pool agreement, in that these German agreements became invalid on account of the outbreak of war (because under English law agreements with the enemy become void at the outbreak of war), which had not been considered by any of the parties. (after the ^{out break of} war, it is true, it was agreed between Generaldirektor C. A. C l o m m of Deutsche Solvay-Werke and myself that these German agreements should be regarded by Deutsche Solvay-Werke and I.G. as continuing to exist, but it was not possible any more

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to effect a written agreement regarding this matter;
because, so I believe, Solvay Et Cie. did not wish to sign
any agreements with a German firm after Belgium's entry
into the war)/

signed: Karl v. Heider

KARL V. HEIDER

Sworn to and signed before me this 1st day of March 1948
at Frankfurt/Main by Herr Karl v. Heider, residing at
Frankfurt/Main, Grillparzerstrasse 83, known to me to be
the person making the above affidavit.

signed: Dr. v. Metzler

Dr. Wolfram v. Metzler
Attorney-at-Law.

This is to certify that above document is a true and
correct copy of the original.

signed: Dr. Wolfram von Metzler

Dr. WOLFRAM VON METZLER
Attorney-at-Law.

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Frankfurt/Main, 17 February 1948

A f f i d a v i t .

I, Karl v. H e i d e r , Frankfurt/Main, Grillparzerstrasse 83, formerly commercial titular director of the I.G. Verkaufsgemeinschaft Chemikalien (I.G.'s joint sales organization for chemicals), have been duly cautioned that I shall be liable to prosecution if I make a false affidavit. I declare on oath that my testimony is the truth and that it was given to be submitted as evidence to Military Tribunal VI at the Palace of Justice, Nuremberg, Germany.

I am asked by Counsel for defendant Paul H a e f l i g e r , to what extent Herr Weber-Andreae used to report at Vorstand regarding the business of Verkaufsgemeinschaft Chemikalien (Chemical Sales Cooperative).

Of course, I never attended the Vorstand meetings, but I can speak on this subject because from 1927 till about 1930, in my capacity as head of the directorial department for chemicals, I drafted or assisted in drafting, among others, Herr Weber-Andreae's reports to the Vorstand, and because later as well until his death I was very often invited by him to discussions prior to such speeches.

Herr Weber-Andreae always endeavoured to say no more in the Vorstand meeting than was absolutely necessary; firstly on account of his being anxious

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to safeguard the independence of the Verkaufsgemeinschaft (in the beginning this was by no means well assured because in the eyes of the large I.G. partners of Ludwigshafen, Leverkusen and Hoechst, 'Chemikalien' had always been a dependant appendage, while later the speedy growth of Verkaufsgemeinschaft Chemikalien caused a certain jealousy among the heads of the other Verkaufsgemeinschaften'); secondly by reason of his observation that the attention of the leading personalities in the Vorstand could be captured only if none but essential questions were presented in a terse form. Thus he tried to state just enough not to be accused of lack of interest, while at the same time selecting problems of which he could assume that they would create interest beyond the limited circle of "Chemikalien". It was therefore by no means the aim of the reports to make the other members of the Vorstand who had, in conformity with the division of business affairs, nothing to do with "Chemikalien", share in the responsibility for activities inside the Verkaufsgemeinschaft, but to enable an adjustment of policy as a whole in respect of questions of general interest to be made, (e.g. regarding the relations with leading foreign chemical firms like Imperial Chemical Industries Ltd., Du Pont, Kuhlmann, Montecatini).

signed: Karl v. Heider
KARL V. HEIDER

Sworn to and signed before me this 21st day of February 1948
at Frankfurt/Main by Herr Karl v. Heider, residing at Frankfurt/Main
Grillparzerstrasse 83, known to me to be the person making the
above affidavit.

signed: Dr. v. Metzler,
DR. V. METZLER
Attorney - at - Law.

A f f i d a v i t

I, the undersigned Dr. Leo S c h l e c h t , residing at Ludwigshafen/Rhine, Bunsenstrasse 4, have been warned that a false affidavit on my part will render me liable to prosecution. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to the Military Tribunal at the Palace of Justice in Nuernberg/Germany for case 6.

In connection with our research work in the nickel field I discovered in 1928 together with some colleagues, especially Dr. Ackermann, that accumulator plates could be produced from carbonyl nickel powder by sintering. These plates due to their small internal resistance could be put to use to greater advantage than the Edison plates which had been in use hitherto. After some more wearisome research work these accumulator plates of sintered carbonyl nickel had been so far technically developed, that the Akkumulatoren Fabrik A.G. in Hagen/Westphalia, the leading German firm in this field, decided to acquire our patents in the field of sinter accumulators for a lump sum payment and a current royalty. This contract with the I.G. was concluded on 12 December 1936.

Already before the conclusion of the contract with the above mentioned German firm we had furnished the International Nickel Company of Canada, as requested, with detailed information concerning the accumulator procedure

DOCUMENT BOOK IV -HAEFLIGER No.57
EXHIBIT No. ..

which we had also patented in the USA. As early as in April 1935 - that is before the conclusion of the above mentioned agreement with the German firm interested - we sent for experimental purposes accumulator plates of sintered nickel manufactured in Oppau to the International Nickel Company, who with our consent transmitted those test plates to the leading American company in the field of alkali accumulators, the Thomas A. Edison Inc., New Jersey. After about 2 years the Vice President of the Edison Inc., Mr. George B. Stringfellow, visited us in Oppau on which occasion he informed us that he was still interested in our accumulator process but that he considered it necessary to undertake a further number of extensive tests for which purpose he required from us a fairly large number of experimental plates and more detailed information concerning the production process and the costs of production. The Edison Inc. confirmed to us the result of the conference in Oppau with letter of 24 March 1937. In a personal letter, dated 25 March 1937, Mr. Stringfellow thanked us from London, on his way back to the USA, for the kind reception which he had been given in Ludwigshafen/Oppau.

The detailed informations pertaining to the cost of production of the plates, sub-divided into material requirements work involved, power requirements and installation costs as well as life of the plates, preliminary treatment and characteristics of the positive sinter electrodes, as requested by the Edison, were dispatched by us to the Edison Inc. New Jersey via the Vice President of

DOCUMENT BOOK IV -HAEFLIGER No.57
EXHIBIT No. ..

the International Nickel Company, Dr. Paul D. Merica, New York, already on 2 December 1936. The additional experimental material requested by Edison was also received in the USA by this firm early in September 1937.

All this information which offered a most exhaustive survey of the technique and the advantages of our accumulator process were sent to the USA, trusting in the fair attitude of the Edison, without any equivalent and without any contractual obligations on the part of the Edison. It must be born in mind that our patents represented great values which is already proven by the fact the above mentioned Akkumulatoren-Fabrik A.G. in Hagen had paid us for the cession of our relevant German patents Goldmark RM 150 000.- and a current license fee of RM 0,40 per k nickel powder as early as 1936.

Starting March 1937 an interchange of ideas took place between Edison and the IG concerning a future license agreement, about which a verbal conference took place in the USA between Mr. Stringfellow and Herr Haefliger in December 1937. During this interchange of ideas we did not demand any payment for the past and future coding of our experiences either; we merely requested that all knowledge and experience which we had so far furnished and were continuing to furnish in connection with the testing of our process, should be used for experimental purposes only and should be treated in strict confidence.

DOCUMENT BOOK IV -HAEFLIGER No.57
EXHIBIT No. ..

Since negotiations with the Edison on this subject had not been concluded after four years and since on the other hand we could not wait for the conclusion of a license agreement for an indefinite period of time in view of the time of validity of our patents, we decided to offer our process to another American accumulator-firm, the Electric Storage Battery Company of Philadelphia and an English accumulator firm, the Chloride Electrical Storage Company. The preliminaries had already been initiated early in 1939 with the help of our English business friends, the Mond Nickel Company, but could not be continued due to the outbreak of war.

From this it can also be perceived that we in no way intended to withhold our accumulator process from countries abroad. On the contrary, we had made great endeavors to have this process exploited in England and America as soon as possible.

Ludwigshafen/Rhine, 23 February 1948

(signed) Leo Schlecht
LEO SCHLECHT

I hereby certify and attest that above signature was executed before me, Dr. Wolfgang Heintzeler, Ludwigshafen/Rhine, Brunckstr.13, by Dr. Leo Schlecht,

Ludwigshafen/Rhine, 23 February 1948

(signed) Dr. Wolfgang Heintzeler
DR. WOLFGANG HEINTZELER
Attorney-at-law

This is to certify the literal correctness of the copy of the above document.

Dr. Wolfram von Metzler
Attorney-at-law

AFFIDAVIT

I, the undersigned Dir. Leo Schlecht, residing at Ludwigshafen/Rhein, Bunsenstr. 4, have been told that I am liable to punishment for giving a false affidavit. I hereby declare under oath that my statement conforms to the truth and was made to furnish evidence for the Military Tribunal at the Palace of Justice in Nuernberg, Germany for Case No. VI.

In March 1936 the I.G. was informed by the former office for raw materials and ~~synthetic~~ materials that considerably quantities of nickel in the form of nickel metal were still being imported into Germany. In order to save currency, however, it was necessary to import these quantities of nickel in the form of ore and procary materials and to make metallic nickel therefrom in Germany. To achieve this, ~~at the~~ instigation of the Berlin authorities it was to be ascertained whether the I.G. nickel production could further be increased through the import of Canadian nickel raw materials through the International Nickel Company or whether through the imports of raw materials other than those from Canada and in other German works the above-mentioned goal of the possibly complete stoppage of the importation of nickel in metallic form in favor of the importation of raw materials could be attained.

The negotiations of the I.G. relative to this with the International Nickel Company of Canada (Inco) resulted in that

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the Inco promised the I.G. a production quota of 4500 tons of nickel metal per year to begin in 1938 and to deliver the necessary quantities of nickel matte in return (supplementary agreement between Inco/Mond and I.G. of 4 May 1937)

Since the nickel plant of the I.G. in operation at that time in Oppau/Ludwigshafen and which operated according to the Carbonyl high pressure process developed by the I.G. but with a production capacity of only 3 000 tons per year, did not suffice for these 4500 tons per year, I was commissioned together with my collaborators as plant manager of this Oppau plant to realise as soon as possible the production of these 4 500 tons of nickel metal per year from Canadian nickel matte. For this purpose we suggested to the Berlin authorities that the Oppau nickel plant be enlarged to a capacity of 4,500 tons of nickel per year since this would require the smallest expenditure of money and material. The Berlin authorities, however, did not agree to the enlargement of the Oppau plant but instead desired a new plant in Central Germany. They let us know that in case the I.G. was not prepared to construct a new plant in Central Germany out of its own financial resources, another German producer of nickel would be commissioned with the production of the additional quantities of nickel.

Considering these circumstances, we had to begin with the project and construction of a new nickel plant in central Germany. The locality chosen was Frose/Anhalt,

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and since the prerequisites for the Oppau process, for instance, carbon/^{mon}oxide, nitrogen and high pressure installations did not exist there as in Oppau, we set up new installations for a wet nickel process through which the nickel-copper separation is achieved in a watery solution and the nickel is separated through electrolysis. This process had not yet been tried on a big scale and that is why the complete and final project for the nickel plant in Frose was not immediately possible. We started out with the construction of the buildings and the setting up of certain apparatus which had first to be put into experimental operation before results could be obtained which could serve as a basis for the final disposition of the remaining apparatus. This preliminary work, however, progressed only slowly due to lack of men and material so that we were^{not} able to put the trial equipment into operation until in 1940, between April and October. Hereby about 0.6 tons of nickel were produced in a large-scale trial. Thereupon the equipment still needed for completing the plant was definitely ordered from the manufacturers. Meanwhile the ever increasing lack of building material and labor delayed the start of the nickel production by two years namely until January 1943, but due again to considerable difficulties in connection with the equipment and especially through lack of fillers and other labor, production could not be increased to more

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than about 5 tons per month. For the same reasons the plant had to completely discontinue operation from April to November 1943 especially since further modifications of the equipment had proved necessary. Besides sufficient quantities of nickel matte were no longer available to even operate the Oppau nickel plant to capacity. Not until November 1943 was Froese again put into operation after the necessary modifications of the installations - in accordance with the emergency situation at the time and only in a make-shift manner - had been carried out. Neither in the following months of 1944 was it possible to attain the production of 150 tons of nickel metal per month stipulated by Berlin. The maximum monthly production was reached in October 1944 when 38 tons of nickel were produced, that is, only 25% of the quantity required.

In all, after the above-mentioned experimental operations in 1940 and 1943, and according to our recollection and book-records, unfortunately no longer complete, only about 280 tons of electrolytic nickel were produced, that is, not even as much as we normally produced in one single month in the Oppau plant.

From this it can be seen that the new nickel plant in central Germany, which from the beginning we considered to be superfluous and which we only built at the instigation of the Berlin authorities, did not contribute anything worth

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mentioning to the German nickel production.

Ludwigshafen/Rhein, 3 March 1948

(signed): Leo Schlecht
LEO SCHLECHT

I, Dr. Wolfgang Heintzeler, Ludwigshafen/Rhein,
Brunckstr. 13, hereby certify the above signature,
made in my presence of Dr. Leo Schlecht, residing at
Ludwigshafen/Rhein, Bunsenstr. 4.

Ludwigshafen/Rhein, 3 March 1948

(signed): Dr. Wolfgang Heintzeler
DR. WOLFGANG HEINTZELER
Lawyer

I hereby certify the literal and correct copy of
the foregoing document.

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER
Lawyer

DOCUMENT BOOK IV -HAEFLIGER No.59
EXHIBIT No. . .

Walther Ludwigs
Farbwerke Hoechst
U.S.Administration

Frankfurt(Main)Hoechst,
3 March 1948

Private:
Frankfurt(Main)
Grillparzerstrasse 33.

A f f i d a v i t

I, Walther Ludwigs, Frankfurt(Main) Eschersheim, Grillparzerstrasse 33, have been warned that I render myself liable to prosecution if I make a false affidavit. I declare on oath that my statement corresponds to the truth and was made to be submitted as evidence to Military Tribunal No.VI at the Palace of Justice in Nuernberg, Germany.

I have been an employee of the Farbwerke (Dye Works), formerly Meister Lucius & Bruning, Hoechst/Main, since November 1912 and was transferred to the I.G. Farbenindustrie Aktiengesellschaft, Frankfurt/Main in fall 1925. From the middle of 1927 until 1945 I was commercial department chief in the Chemicals Sales Cooperative of the I.G. Farbenindustrie Aktiengesellschaft, Frankfurt/Main and was in charge of department L.

From 1932 until 1945 on behalf of the Vorstand of the I.G. Farbenindustrie Aktiengesellschaft I also took charge of the organization of the Vereinigte Sauerstoffwerke G.m.b.H. Berlin, in as far as the interests of the I.G. Farbenindustrie Aktiengesellschaft were concerned. For this reason I was informed about the leasing or the acquisition of the Sauerstoffwerke (Oxygen works) in Alsace-Lorraine. At the time the lease or the acquisition of the Sauerstoffwerke in Alsace-Lorraine was decided on,

DOCUMENT BOOK IV -HAEFLIGER No.59
EXHIBIT No. ...

Herr Paul Haeffliger was not competent for these questions. These decisions were made at a time when Herr Weber-Andreas was still alive.

(signed) Walther Ludwigs
WALTHER LUDWIGS

I hereby certify and attest the above signature of Herr Walther Ludwigs, residing in Frankfurt (Main)-Eschersheim, Grillparzerstrasse 33, whose identity has been established by me, Dr. Walter Bachem.

Frankfurt/Main, 3 March 1948

(signed) Dr. Walter Bachem
Dr. WALTER BACHEM

I certify this to be a literal and correct copy of the above document.

Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER
Attorney-at-law

DOCUMENT BOOK IV HAEFLIGER

CERTIFICATE OF TRANSLATION

12 April 1948

I, George GOODMAN, No. 34789, hereby certify
that I am thoroughly conversant with the English and
German languages and that the above is a true and
correct translation of the Document Book IV Haeffliger.

George GOODMAN,
No. 34789

Case 6
Defense

TRIBUNAL VI

CASE VI

Supplement
to
DOCUMENT BOOK IV
for
Paul Haefliger

Submitted by
Defense Counsel

Dr. Wolfram v. Metzler
Attorney

Young



Index to
Supplement to Document Book IV
for Paul Haeffliger
Case VI.

Haeffliger No.	Exh. No.	C o n t e n t s	Page
60		<p>Affidavit by Gaston F. DuBois, St. Louis, Missouri, former Vice-President and Member of Executive Committee of Monsanto Chemical Company, St. Louis.</p> <p>Witness states concerning the negotiations carried on since 1937 between Monsanto and I.G. on surrender of information by I.G. concerning production of Phosphorus in electric ovens and purification of this Phosphorus and its conversion into Phosphoric Acid. He states that the Monsanto was aware that I.G. had information in this field that was far in advance of that possessed by the U.S.A. Witness further confirms that Monsanto was of opinion that the production process in the U.S.A. could be greatly improved and cheapened by having this information placed at their disposal by I.G. Monsanto had already expended much time on experiments with this object, but had always had the feeling of being still far from the goal.</p> <p>Witness further reports on his visit to Frankfurt together with five engineers and chemists of the Monsanto and on the negotiations initiated there, in which the defendant Paul Haeffliger played an important role. He states that the negotiations were carried on by the I.G. in a fair, open and co-operative manner, and that a very satisfactory agreement was reached; under which the contract contained no kind of stipulations that could in any way hinder the activity of the Monsanto as a competitor of the I.G. in the phosphates field. He further declares that the Americans regarded the contract as a very good one and that this opinion was subsequently confirmed by the complete and open support of the I.G., so that the Monsanto were at once in the position to use the new production process in their Tennessee plant, which produced very good results. The I.G. had placed all information on all details at the disposal of the Monsanto during the stay of their representatives in Germany.</p>	41

Supplement Document Book IV Haeffliger

CERTIFICATE OF TRANSLATION

I, Anne MARTIN, ETO No. 20 144, hereby certify that I am
a duly appointed translator for the German and English
languages and that the above is a true and correct translation
of the supplement Document Book IV Haeffliger.

• • • • •
Anne MARTIN
ETO No. 20 144

Index to Document Book IV
for Paul HAEFLINGER, Case VI

HAEFLINGER No.	Exh. No.	C o n t e n t s	Page
(60 cont'd)		The witness proceeds literally as follows: "It is now known that elemental phosphorus played an important part in World War II, and while it was known at the time of our transactions with I.G. that phosphorus might be of potential value in a war, I can testify that at no time during our discussions was there over an indication that the possibility of the use of phosphorus for war purposes ever was entertained by Dr. Paul HAEFLINGER or in any way influenced his behaviour. In fact, the contract which we drew up was clear evidence that he did not seriously consider the manufacture of phosphorus on a large scale in America was a threat to Germany, mainly because he was not thinking along those lines or then he would not have made this contract. I do not hesitate to say that in my opinion the negotiations concerning this contract on both sides were carried out in an honest, open, and above-board manner and that there certainly was no indication of any planning for war on the part of any representatives of I.G."	

March 23, 1948

TO WHOM IT MAY CONCERN:

My name is Gaston F. DUBOIS. I am a United States citizen, and I reside at St. Louis, Missouri. I am Chemical Engineer by education and training. I was a Vice-President and a member of the Executive Committee of Monsanto Chemical Company prior to September 1, 1945, when I reached retirement age. Prior to that I was a member of the Board of Directors and a principal executive of Monsanto Chemical Company for 41 years.

In March, 1945, I was sent to Europe on a special mission by the United States War Department, and in October, 1945, I was sent to Germany as a consultant for six months by the United States War Department to assist the United States Military Government in matters of reparations.

While I was Vice-President in charge of research and development of Monsanto Chemical Company, I communicated in 1937 with I.G. Farbenindustrie for the purpose of determining whether it would be possible to acquire from I.G. through purchase or exchange of information, processes covering the manufacture of phosphorus by the electric furnace, as well as information on purification of this phosphorus and its conversion into phosphoric acid.

Our company had, shortly before that time, acquired the plant of the Swann Chemical Company, manufacturers of phosphoric acid. We were aware that I.G. had developed these processes in a most satisfactory manner and that their manufacturing experience was far ahead of anything known in the United States. We, therefore,

- 2 -

believed that if we could acquire these processes on a reasonable basis, the manufacture of phosphates in the United States would be greatly improved and cheapened. We had already spent considerable time and money on experiments with this in view, but we felt that we were still far from our goal.

Our preliminary discussions with I.G. did not lead to the desired result, because we concluded that the price they wanted for their processes was too high, and we, therefore, turned down their offer.

A little less than a year later, in January, 1938, Dr. Paul HAEFLIGER, who I believe was manager of the Inorganic Branch of I.G., telephoned me to advise that if we were still interested he believed something might be done along lines previously discussed for the purchase by Monsanto of phosphorous processes. After an exchange of cables, I went to Frankfurt with five other Monsanto engineers and chemists to close a contract and to visit the I.G. manufacturing plant and obtain full details on processes in which we were interested.

After a few days spent in Frankfurt, a contract was drawn up, the main provisions of which were submitted to Monsanto by cable and approved. We were then permitted to visit the I.G. plant in Piesteritz, where we remained for about two weeks, until we had obtained all the information provided for in the contract.

Dr. Paul HAEFLIGER and Dr. G. PISTOR played an important part in our discussions concerning the contract, and the Monsanto representatives were all of the opinion that we were treated very fairly, in an open and cooperative spirit, and we were able to obtain con-

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ditions for the purchase which obligated us to pay only about 40% of the price which I.G. had originally requested.

The contract was clean cut and contained no provisions which would in any way hamper Monsanto's future activities as a competitor of I.G. in the phosphate field. We regarded the contract as a very good one, which was confirmed by the further development of the processes in which we were given full and honest cooperation by Dr. Paul HAEFLIGER and other members of the I.G. Staff, so that we were able to install immediately these new processes in our Tennessee plant, with results which we considered entirely satisfactory.

During our stay in the Piesteritz plant we were given every assistance needed to obtain full details of the I.G. processes and Dr. Paul HAEFLIGER contributed greatly to the correct and cooperative attitude shown toward us.

It is now known that elemental phosphorus played an important part in World War II, and while it was known at the time of our transaction with I.G. that phosphorus might be of potential value in a war, I can testify that at no time during our discussions was there ever an indication that the possibility of the use of phosphorus for war purposes ever was entertained by Dr. Paul HAEFLIGER or in any way influenced his behavior. In fact, the contract which we drew up was clear evidence that he did not seriously consider the manufacture of phosphorus on a large scale in America was a threat to Germany, mainly because he was not thinking along those lines or then he would not have made this contract. I do not hesitate to say that in my opinion the nego-

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- 4 -

tations concerning this contract on both sides were carried out in an honest, open, and above-board manner and that there certainly was no indication of any planning for war on the part of any representative of I.G.

sgd.: Gaston F. DuBois
GASTON F. DUBOIS

Subscribed and sworn to before me, a Notary Public in and for the City of St. Louis, State of Missouri, this 23rd day of March, 1948.

My commission expires

sgd. illegible

Dec. 18, 1948.

Notary Public

S t a m p

I herewith certify that this is a true and correct copy of the above document.

sgd. Dr. Wolfram von Metzler
DR. WOLFRAM VON METZLER

Rechtsanwalt

CASE 6
TRIBUNAL VI

DEFENSE
HAEFLIGER

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Doc. # 137

Doc. # 2

Doc. # 1 - Doc. NI-7384

ENGLISH



DEFENSE

CASE 6 - TRIBUNAL VI

Exhibit Haeffliger No. 1 Document No. NI-7384

DESCRIPTION: Letter from Kreditanstalt, Vienna to
Werner Lewald, dtd. 31 May 1947.

never distributed



Haufliger 8th. 2

DOCUMENTBOOK 9 - I L G N E R
DOCUMENT No. 137

Page 24 of original

I.G.FARBENINDUSTRIE AKTIENGESELLSCHAFT

B I T T E R F E L D

Bitterfeld 11 November 1927

I.G.Farbenindustrie Aktiengesellschaft

D i r e c t o r a t e

Ludwigshafen /Rhein
=====

Strictly c o n f i d e n t i a l :

I have received your letter of the 7th of this month and I beg to inform you with reference to the discussion with Herr Director Seeborn that I have contacted Herr Dr. K u h n e in the Skoda-Wetzlar matter. The time intended for our trip for the inspection of the plants of the Dynamit-Nobel-Konzern in Austria and Jugoslavia is already extremely limited, so that we believe that it is not possible to visit the plants of Skoda-Wetzlar especially if we do not arrive in Vienna until the 16th of November. Besides this, I am to take part in a session of the Aufsichtsrat of the Vereinigte Aluminium Werke A.G. in Berlin on the 25th of November.

During the meetings in Frankfurt I also heard that Herr Geheimrat Dr. S c h m i t z had a visit from Herr P o l l a k of Skoda-Wetzlar a month ago, upon which occasion Herr P o l l a k recommended an extensive support of Skoda-Wetzlar. If we now make an inspection of the plants.



7. Auflagen 8th. 2

DOCUMENTBOOK 9 - I L G N E R
DOCUMENT No. 137

Page 25 of original

I.G.Farbenindustrie
Aktiengesellschaft
B i t t e r f e l d

page 2 of letter of 11 November 27

we believe that perhaps too radical inferences may be drawn by Skoda-Wetzler from this visit,

We will speak with Herr Kommerzialrat R o t h in Vienna and inform him to that effect. It would perhaps be best if we once again discussed the question with Herr R o t h upon this occasion, as to whether it would be correct for us to pay the leading men of Skoda-Wetzler, in this case Herr P o l l a k , a visit and to discuss matters with him generally. We would then see whether it is suitable for us to inspect one or another of the plants of Skoda-Wetzler.

I hope that you are in agreement with this and would be grateful to you if, in the event that you are in accordance with my views, you would inform Herr Kommerzialrat R o t h to that effect. If nevertheless for special reasons you would be in favor of inspecting the plants of Skoda-Wetzler in any case, I would be very grateful to you for an immediate notification to Bitterfeld.

Fr./Schb. Sincerely
 (signed) Dr. Pistor

MICROCOPY

892

ROLL

85

